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AUTHOR Mead, Walter B.
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ABSTRACT

These 53 radio scripts present the history of the founding and ratification of the U.S. Constitution. Each script is designed to fit within a 2 to 2-1/2 minute time-frame. The titles are: "Introduction to Series" (Promotional Segment); "Did You Know: Our Present Constitution Is Our Second Constitution?"; "The First American President: Peyton Randolph"; "Our First Constitution: A 'League of Friendship'"; "Under Our First Constitution: The Disunited States"; "Congress Attacked by Its Own Army"; "Road to the Philadelphia Constitutional Convention"; "Daniel Shays Opens the Way to the Philadelphia Convention"; "Optimism in the Midst of Turmoil"; "Washington Reconsiders"; "A Developing America in 1787"; "Getting to Philadelphia: Arduous Travel"; "A Grand Entrance for a Great Man"; "Philadelphia in 1787"; "A Small Gathering for a Major Event"; "Men of Extraordinary Talent"; "Mediocrity Amidst Merit"; "Profile of the Delegates"; "Faith of Our (Founding) Fathers"; "The Virginia Plan"; "A Silent Presiding Officer"; "Madison as Unofficial Convention Secretary"; "A Free Nation Conceived behind Closed Doors"; "A Long, Hot Philadelphia Summer"; "A Delegate's Walk to Constitution Hall"; "Business before Pleasure"; "In Commemoration of an Indian Queen"; "Philadelphia's Social Life"; "Ben Franklin: Citizen of the World"; "Madison's Rise from Rejection"; "Alexander Hamilton: A Misplaced Monarchist"; "Men with Strong Aristocratic Leanings"; "Three Defenders of Democracy"; "Men of Property Defining the Role of Property"; "Creating a Non-Democratic Republic: Checking the Popular Vote"; "A Republic Built upon the Commercial Spirit"; "A Government Designed after a Clock"; "A Republic Based on 3/5ths People: The Unresolved Problem of Slavery"; "Gouverneur Morris: Chief Draftsman of the Constitution"; "What--No Bill of Rights?"; "An Unconstitutional Constitution?"; "The Last Day of the Convention"; "Those Who Refused to Sign"; "Getting the Proposed Constitution to the States"; "The Pennsylvania Ratifying Convention: Intransigence and Violence"; "The Massachusetts Convention: Spirit of Reconciliation"; "Virginia's Ratification Debates: Quiet Reason versus Fiery Oratory"; "Some Famous Letters-to-the-Editor"; "The New York Debates: A Close and Crucial Vote"; "Reluctant Rhode Island"; "James Wilson: Founding Father Turned Fugitive"; "Robert Morris: Forgotten Patriot"; and "Securing Our Constitutional Liberties". (DJC)

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THE UNITED STATES CONSTITUTION: A NON-TRIVIAL PURSUIT

BY

WALTER B. MEAD

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Department of Political Science
Illinois State University
Normal, Illinois 61761

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Fifty-three Radio Scripts

THE UNITED STATES CONSTITUTION: A NON-TRIVIAL PURSUIT

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This series has received an award of recognition from the American Bar Association.

SEGMENT	TITLE
Promotional	Introduction to Series
1	Did you know: Our Present Constitution is Our Second Constitution?
2	The First American President: Peyton Randolph
3	Our First Constitution: A "League of Friendship"
4	Under Our First Constitution: The Disunited States
5	Congress Attacked by Its Own Army
6	Road to the Philadelphia Constitutional Convention
7	Daniel Shays Opens the Way to the Philadelphia Convention
8	Optimism in the Midst of Turmoil
9	Washington Reconsiders
10	A Developing America in 1787
11	Getting to Philadelphia: Arduous Travel
12	A Grand Entrance for a Great Man
13	Philadelphia in 1787
14	A Small Gathering for a Major Event
15	Men of Extraordinary Talent
16	Mediocrity Amidst Merit
17	Profile of the Delegates

(Segment)	(Title)
18	Faith of Our (Founding) Fathers
19	The Virginia Plan
20	A Silent Presiding Officer
21	Madison as Unofficial Convention Secretary
22	A Free Nation Conceived Behind Closed Doors
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25	Business Before Pleasure
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28	Ben Franklin: Citizen of the World
29	Madison's Rise from Rejection
30	Alexander Hamilton: A Misplaced Monarchist
31	Men with Strong Aristocratic Leanings
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37	A Republic Based on 3/5ths People: The Unresolved Problem of Slavery
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43	Getting the Proposed Constitution to the States
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46	Virginia's Ratification Debates: Quiet Reason versus Fiery Oratory
47	Some Famous Letters-to-the-Editor
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PROMOTIONAL: THE UNITED STATES CONSTITUTION: A NON-TRIVIAL PURSUIT

IN 1976 AMERICANS CELEBRATED THE TWO-HUNDREDTH ANNIVERSARY OF THEIR INDEPENDENCE FROM BRITISH COLONIAL RULE. IN JULY OF 1776 DELEGATES AT THE SECOND CONTINENTAL CONGRESS PLEDGED THEIR LIVES AND THEIR FORTUNES IN SIGNING THE DOCUMENT CAREFULLY PENNED BY THOMAS JEFFERSON: THE DECLARATION OF INDEPENDENCE. THAT YEAR IS WELL INSCRIBED IN THE MINDS OF MOST AMERICANS.

HOWEVER, THE SIGNING OF THE DECLARATION AND THE WAR OF REVOLUTION THAT ENSUED FOR THE NEXT FIVE YEARS MERELY ESTABLISHED THAT THE THIRTEEN AMERICAN STATES WERE NOW ON THEIR OWN. THERE WAS NO ASSURANCE OF THEIR SURVIVAL, AND DURING THE DECADE THAT FOLLOWED THE DECLARATION OF INDEPENDENCE THERE WOULD BE MANY OBSERVERS, BOTH IN THE UNITED STATES AND ABROAD, WHO FELT THAT THE BOLD ATTEMPT AT GOING IT ALONE WAS DOOMED TO FAILURE.

IT WAS NOT UNTIL 1787, WITH THE CONCLUSION OF ALMOST FOUR MONTHS OF INTENSE LABOR AND OFTEN HEATED DEBATED AIMED AT THE DRAFTING OF A NEW CONSTITUTION, THAT A NEW SPIRIT OF HOPE AND CONFIDENCE BEGAN TO SPREAD THROUGHOUT AMERICA. THE NEW CONFIDENCE WAS IN THE ABILITY OF THE AMERICAN PEOPLE NOT ONLY TO SURVIVE, BUT TO SURVIVE IN FREEDOM.

THEREFORE, WE ARE NOW CELEBRATING THE BICENTENNIAL OF THE PHILADELPHIA CONVENTION, WHICH PRODUCED THE DOCUMENT THAT TODAY WE IDENTIFY AS THE "CONSTITUTION OF THE UNITED STATES OF AMERICA." OUR HISTORY BOOKS TELL US MUCH ABOUT OUR CONSTITUTION AND THE EVENTS SURROUNDING IT. BUT MUCH OF GREAT IMPORTANCE SEEMS TO HAVE BEEN FORGOTTEN. DURING THE WEEKS AHEAD [_____ _____ AND] THIS STATION WILL PRESENT AS A PUBLIC SERVICE A SERIES OF REPORTS ON "THE UNITED STATES CONSTITUTION: A NON-TRIVIAL PURSUIT." SOME OF THESE REPORTS WILL SURPRISE YOU; SOME WILL AMUSE. ALL, IT IS HOPED, WILL BETTER INFORM YOU ON WHAT OUR CONSTITUTION IS AND HOW IT CAME ABOUT.

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#1: DID YOU KNOW: OUR PRESENT CONSTITUTION IS OUR SECOND CONSTITUTION?

DID YOU KNOW THAT OUR PRESENT AMERICAN CONSTITUTION IS OUR SECOND CONSTITUTION? THE FIRST ONE, THE ARTICLES OF CONFEDERATION, DID NOT WORK. IT LASTED ONLY EIGHT YEARS, AND ITS INADEQUACIES WERE EVIDENT ALMOST AS SOON AS IT WENT INTO EFFECT IN 1781.

THE MOST IMPORTANT PURPOSE OF A CONSTITUTION IS TO PROTECT THE LIBERTIES OF THE PEOPLE BY LIMITING THE POWERS OF THEIR GOVERNMENT. BUT OUR NATION'S EXPERIENCE WITH ITS FIRST CONSTITUTION TAUGHT US THAT IF THE PEOPLE ARE TO BE FREE, THE FUNDAMENTAL LAWS THAT MAKE UP THE CONSTITUTION MUST NOT ONLY LIMIT THE GOVERNMENT, BUT ALSO ASSIGN TO IT CERTAIN SIGNIFICANT POWERS. OUR NATION HAS LASTED AS LONG AS IT HAS AS A FREE NATION BECAUSE OUR FOUNDING FATHERS WERE FINALLY ABLE TO STRIKE A REASONABLE AND WORKABLE BALANCE BETWEEN THE POWERS GRANTED TO THE GOVERNMENT AND THE POWERS WITHHELD.

THE FIRST AMERICAN CONSTITUTION DID NOT REPRESENT SUCH A BALANCE. WITH THE EXPERIENCE OF OPPRESSIVE BRITISH RULE STILL FRESH IN THEIR MINDS, THE AMERICAN PEOPLE WERE AT FIRST RELUCTANT TO CREATE A STRONG AND EFFECTIVE CENTRAL GOVERNMENT. AS A RESULT, UNDER THE ARTICLES OF CONFEDERATION THE NATIONAL GOVERNMENT COULD PASS LAWS BUT NOT ENFORCE THEM; IT COULD SPEND MONEY BUT NOT RAISE MONEY THROUGH TAXES; IT COULD DECLARE WAR BUT NOT CREATE AN ARMY; IT COULD MAKE TREATIES BUT NOT REGULATE TRADE WITH OTHER COUNTRIES OR EVEN AMONG ITS OWN STATES.

AS THE AMERICAN PEOPLE GAINED MORE CONFIDENCE IN THEIR ABILITY TO STRIKE A BALANCE BETWEEN INDIVIDUAL FREEDOM AND THE NECESSARY POWERS OF GOVERNMENT, THEY FINALLY ELECTED REPRESENTATIVES TO GET TOGETHER IN 1787 TO COME UP WITH A MORE WORKABLE DOCUMENT. AND IT IS THAT SECOND CONSTITUTION THAT HAS LASTED FAR LONGER THAN ANY OTHER WRITTEN CONSTITUTION IN HISTORY. DURING THE SAME PERIOD OF TIME THAT FRANCE HAS BEEN GOVERNED BY TEN DIFFERENT CONSTITUTIONS, THE DOCUMENT THAT CAME OUT OF THE PHILADELPHIA CONVENTION SOME TWO HUNDRED YEARS AGO HAS CONTINUED TO SERVE US WELL.

#2: THE FIRST AMERICAN PRESIDENT: PEYTON RANDOLPH

WE'VE ALL DUTIFULLY LEARNED, OF COURSE, THAT GEORGE WASHINGTON WAS THE FIRST AMERICAN PRESIDENT. WOULD YOU BELIEVE THAT THERE ACTUALLY WERE SEVERAL PRESIDENTS BEFORE WASHINGTON? THE HISTORICAL RECORD IS IRREFUTABLE.

THE SECOND CONTINENTAL CONGRESS, WHICH PROCLAIMED OUR INDEPENDENCE FROM ENGLAND AND ASSUMED RESPONSIBILITY FOR CONDUCTING THE REVOLUTIONARY WAR, WAS OUR FIRST GOVERNMENT AS AN INDEPENDENT NATION. AT THE BEGINNING OF THAT CONGRESS, PEYTON RANDOLPH, A HIGHLY RESPECTED VIRGINIAN, WAS ELECTED ITS PRESIDENT. IN THAT CAPACITY HE SERVED AS THE NATION'S FIRST PRESIDENT. HE HELD THAT OFFICE FOR ONLY TWO WEEKS, RESIGNING FOR HEALTH REASONS. DURING THE SIX YEAR EXISTENCE OF THE SECOND CONTINENTAL CONGRESS, FIVE OTHER PRESIDENTS SUCCEEDED RANDOLPH.

IN 1781, JOHN HANSON, A NATIVE OF MARYLAND AND A MAJOR SUPPORTER OF THE AMERICAN REVOLUTION, WAS ELECTED THE FIRST PRESIDENT OF THE CONGRESS UNDER OUR FIRST CONSTITUTION. AFTER SERVING HIS ONE-YEAR TERM, HE RETIRED FROM PUBLIC LIFE. SEVEN PRESIDENTS FOLLOWED HANSON BEFORE GEORGE WASHINGTON BECAME PRESIDENT.

ALTOGETHER, THERE WERE FOURTEEN AMERICAN PRESIDENTS BEFORE THE FIRST ONE WE SEEM TO REMEMBER WAS INAUGURATED. AND THAT'S NOT COUNTING TWO PREVIOUS PRESIDENTS WHO PRESIDED OVER THE FIRST CONTINENTAL CONGRESS DURING OUR COLONIAL PERIOD. PRESIDENT WASHINGTON WAS THE FIRST PRESIDENT TO SERVE IN A GOVERNMENT WHERE, ACCORDING TO THE TERMS OF THE NEW CONSTITUTION, THE EXECUTIVE OFFICE WAS SEPARATE FROM THE LEGISLATURE. THEREFORE, HE WAS THE FIRST AMERICAN PRESIDENT TO HAVE SIGNIFICANT AND CLEARLY DEFINED POWERS.

THIS, HOWEVER, CONTRARY TO MOST TEXTBOOKS, DOES NOT MAKE HIM OUR FIRST PRESIDENT! COUNTING FROM THE BEGINNING OF OUR INDEPENDENT STATUS AS A NATION, GEORGE WASHINGTON WAS THE COUNTRY'S FIFTEENTH PRESIDENT.

#3: OUR FIRST CONSTITUTION: A "LEAGUE OF FRIENDSHIP"

THE FACT THAT OUR PRESENT NATIONAL CONSTITUTION HAS SURVIVED FOR NEARLY TWO HUNDRED YEARS MUST BE ATTRIBUTED IN LARGE PART TO WHAT THE FRAMERS AT THE PHILADELPHIA CONVENTION HAD LEARNED FROM THE DEFICIENCIES OF OUR FIRST CONSTITUTION, THE ARTICLES OF CONFEDERATION. THIS EARLIER DOCUMENT, IMPLEMENTED IN 1781, WAS LITTLE MORE THAN AN EFFORT TO MAKE LEGAL THE CENTRAL GOVERNMENT THAT HAD ALREADY FOR SIX YEARS, WITHOUT FORMAL AUTHORITY, BEEN COORDINATING THE REVOLUTIONARY WAR EFFORT.

THIS FIRST AMERICAN CONSTITUTION WAS DESIGNED WITH THE INTENT OF ASSIGNING NO MORE POWERS TO A NATIONAL GOVERNMENT THAN WERE ABSOLUTELY NECESSARY. AFTER ALL, WHY SHOULD THE STATES HAVE FOUGHT A WAR TO FREE THEMSELVES FROM THE HARSH POLICIES AND TAXES OF AN ENGLISH PARLIAMENT ONLY TO SUBMIT TO AN EQUALLY POWERFUL CONGRESS? MOST PEOPLE STILL THOUGHT OF THEMSELVES MORE AS CITIZENS OF THEIR PARTICULAR STATES THAN AS CITIZENS OF A NATION. WHEN GENERAL WASHINGTON TRIED TO PERSUADE HIS TROOPS FROM NEW JERSEY TO SWEAR ALLEGIANCE TO THE UNITED STATES, THEY REFUSED. THE PREVAILING SENTIMENT WAS CAPTURED BY JOHN ADAMS, WHO STILL REFERRED TO MASSACHUSETTS AS HIS "COUNTRY."

THE FIRST AMERICAN CONSTITUTION EXPRESSLY STATED THAT IT WAS INTENDED TO CREATE NO MORE THAN A "FIRM LEAGUE OF FRIENDSHIP" AMONG THE STATES. UNDER IT THE NATIONAL GOVERNMENT COULD NOT EVEN ENFORCE ITS OWN LAWS UPON THE STATES. NOR COULD IT LEVY TAXES; IT COULD ONLY ASK THE INDIVIDUAL STATES FOR CONTRIBUTIONS. CONGRESS PLACED ADS IN NEWSPAPERS URGING THE STATES TO PAY THEIR FAIR SHARE. NEEDLESS TO SAY, THE RESPONSE WAS NOT IMPRESSIVE.

ON THE DAY IN 1781 WHEN A MESSENGER ARRIVED AT THE CONGRESS BRINGING NEWS OF THE AMERICAN VICTORY AT YORKTOWN, MARKING THE END OF THE REVOLUTIONARY WAR, THERE WERE NOT SUFFICIENT FUNDS IN THE TREASURY TO PAY THE MAN'S EXPENSES. EACH MEMBER OF CONGRESS PAID A DOLLAR FROM HIS OWN POCKET. EVEN AMID THE EXIGENCIES OF WAR, CONGRESS UNDER OUR FIRST CONSTITUTION HAD LITTLE SUCCESS IN GETTING THE SEPARATE STATES TO PULL TOGETHER. ONCE PEACE WAS ACHIEVED, THERE PROVED TO BE EVEN LESS INCENTIVE.

#4: UNDER OUR FIRST CONSTITUTION: THE DISUNITED STATES

TODAY, AFTER LIVING UNDER A CONSTITUTION AND A GOVERNMENT THAT HAVE PROVIDED RELATIVE STABILITY AND PROSPERITY FOR MOST OF TWO HUNDRED YEARS, IT IS DIFFICULT TO IMAGINE THE DISORDER THAT PREVAILED AS OUR NATION STRUGGLED AT ITS BIRTH WITH ITS FIRST AND VERY IMPERFECT CONSTITUTION, THE ARTICLES OF CONFEDERATION. IN THE 1780s ACRIMONY AND THREATS OF REBELLION WERE WIDESPREAD AMONG THE STATES THAT HAD ONLY RECENTLY FOUGHT IN A COMMON STRUGGLE FOR INDEPENDENCE. CONGRESS LACKED THE CONSTITUTIONAL AUTHORITY AND POWER TO RESOLVE THESE PROBLEMS.

DISPUTES OVER STATE BORDERS AND JURISDICTIONS FLARED. PEOPLE IN THE WESTERN PORTION OF VIRGINIA WERE BREAKING AWAY TO FORM THEIR SEPARATE STATE OF KENTUCKY, FOR THEY WERE PAYING FAR MORE TAXES INTO THEIR STATE GOVERNMENT THAN THEY WERE GETTING BACK IN SERVICES. FOR THE SAME REASON, RESIDENTS IN WESTERN NORTH CAROLINA HAD FORMED THEMSELVES INTO THE NEW "STATE OF FRANKLIN." NEW HAMPSHIRE AND NEW YORK WERE BOTH CLAIMING WHAT IS NOW THE STATE OF VERMONT. MAINE WAS TRYING TO SEPARATE FROM MASSACHUSETTS.

FOR YEARS AFTER THE END OF THE REVOLUTIONARY WAR ENGLAND REFUSED TO EVACUATE HER TROOPS FROM THE GREAT LAKES REGION, AND THE AMERICAN GOVERNMENT, EVEN THOUGH IT HAD WON THE WAR, WAS POWERLESS TO FORCE BRITISH WITHDRAWAL. FOREIGN GOVERNMENTS LOOKED ON THE DISORGANIZED AND QUARRELING INFANT NATION WITH A HUNGRY EYE, ALL TOO EAGER TO EXPLOIT ITS WEAKNESSES. THERE WERE RUMORS THAT A "SEDITIOUS GROUP" WITHIN THE NEW YORK STATE LEGISLATURE WAS IN ALLIANCE WITH THE BRITISH VICEROY OF CANADA. AT THE SAME TIME, SPAIN, WHICH CONTROLLED FLORIDA AND THE GULF AREA, WAS USING INDIANS TO HARASS THE SOUTHERN STATES, BRIBING POLITICIANS, AND THREATENING TO CLOSE THE MISSISSIPPI RIVER TO AMERICAN NAVIGATION. GENERAL WASHINGTON EXPRESSED CONCERN THAT THE NEW KENTUCKIANS WOULD ALIGN WITH SPAIN.

THE PROBLEMS OF THE "DISUNITED STATES" WERE BECOMING SEVERE ENOUGH THAT SOME WERE BEGINNING TO TALK OF THE NEED FOR A STRONGER CENTRAL GOVERNMENT AND A MORE ADEQUATE CONSTITUTION.

#5: CONGRESS ATTACKED BY ITS OWN ARMY

IT IS EARLY AFTERNOON ON SATURDAY, JUNE 21st, 1783. IN A TENSE SCENE OUTSIDE THE STATE HOUSE IN PHILADELPHIA, SOME THREE HUNDRED SOLDIERS FROM THE PENNSYLVANIA CONTINGENT OF THE CONTINENTAL ARMY HAVE CONVERGED. SOME ARE DRUNK; OTHERS JUST PLAIN MAD. INSIDE ARE MEMBERS OF CONGRESS, TREMBLING AND STEERING CLEAR OF THE WINDOWS THROUGH WHICH STONES ARE BEING HURLED.

WITH THE WAR ABOUT TO COME TO A FORMAL CONCLUSION AND THE PENNSYLVANIA UNIT DISBANDED, THE OFFICERS AND SOLDIERS FACE A BLEAK FUTURE WITH ALL THE PROMISES OF BOUNTIES, GRANTS, AND PAY IGNORED BY CONGRESS AND THE STATE LEGISLATURE. SOME OF THE RIOTERS HAD BEEN PART OF A SIMILAR MUTINY TWO YEARS EARLIER IN WHICH SEVERAL SOLDIERS WERE KILLED BY THE STATE MILITIA CALLED OUT TO QUELL THEM. THIS TIME THE GOVERNOR DECIDED NOT TO CALL ON THE MILITIA, FEARING THEY MIGHT SIDE WITH THE DISGRUNTLED TROOPS.

AS THE SOLDIERS NEGOTIATED WITH STATE OFFICIALS, CONGRESS SLIPPED OUT OF PHILADELPHIA AND SET UP IN PRINCETON, NEW JERSEY. IN THE FIFTEEN YEARS BETWEEN THE CONVENING OF THE FIRST CONTINENTAL CONGRESS AND THE ADOPTION OF OUR PRESENT CONSTITUTION IN 1789, OUR NATIONAL GOVERNMENT WOULD HAVE MOVED BACK AND FORTH A DOZEN TIMES AMONG EIGHT DIFFERENT CITIES -- USUALLY CHASED BY ADVANCING BRITISH TROOPS, BUT THIS TIME BY ITS OWN ARMY! AFTER A FEW DAYS, THE HARRIED SOLDIERS BACKED OFF WITH THE PROMISE OF IMMEDIATE PAY. THEY <u>WERE</u> PAID, BUT IN A CURRENCY THAT TURNED OUT TO BE VIRTUALLY WORTHLESS!

SO DESTITUTE WAS THE NATIONAL GOVERNMENT, AND UNABLE TO GET THE STATES TO MEET THEIR WARTIME OBLIGATIONS, THAT IMMEDIATELY AFTER THE SIGNING OF THE PEACE TREATY WITH ENGLAND, THE UNITED STATES ARMY WAS REDUCED TO A TOTAL OF SEVEN HUNDRED FIFTY OFFICERS AND SOLDIERS. FRONTIERSMEN AND TRAVELERS, THREATENED BY INDIANS AND OTHER POTENTIAL ENEMIES, WERE ON THEIR OWN. EXPANSION OF SETTLEMENTS AND COMMERCE WERE IN JEOPARDY. THE ARTICLES OF CONFEDERATION, OUR NATION'S FIRST CONSTITUTION, WERE IN DIRE NEED, AT THE VERY LEAST, OF REVISION.

#6: ROAD TO THE PHILADELPHIA CONSTITUTIONAL CONVENTION

IT WAS THE SPRING OF 1785. REPRESENTATIVES FROM THE STATES OF VIRGINIA AND MARYLAND HAD GOTTEN TOGETHER IN ALEXANDRIA IN AN ATTEMPT TO RESOLVE A DISPUTE OVER CONTROL OF NAVIGATION ON THE POTOMAC RIVER. ALTHOUGH THE DELEGATES FAILED IN THEIR INTENT, THE LONG-TERM RESULTS OF THAT MEETING WERE TO BE OF ENORMOUS CONSEQUENCE FOR THE FUTURE OF THE REPUBLIC.

A MAN, CONVINCED PERHAPS MORE THAN ANY OTHER OF THE POTENTIAL FUTURE GREATNESS OF A NATION UNDIVIDED BY TRADE BARRIERS, INVITED THE FRUSTRATED DELEGATES TO REASSEMBLE IN THE MORE INFORMAL ATMOSPHERE OF HIS HOME AT MOUNT VERNON. HIS NAME WAS GEORGE WASHINGTON. PLEASED WITH THEIR ACHIEVEMENTS AT MOUNT VERNON AND ENCOURAGED BY WASHINGTON, THE DELEGATES DECIDED TO RECOMMEND A MEETING OF ALL THE STATES TO ATTEMPT TO RESOLVE THEIR DIFFERENCES ON A BROAD RANGE OF ECONOMIC ISSUES.

INVITATIONS WERE SENT OUT TO THE THIRTEEN STATES CALLING FOR A CONFERENCE IN SEPTEMBER OF 1786 IN THE LITTLE TOWN OF ANNAPOLIS, MARYLAND. TWELVE MEN, REPRESENTING ONLY FIVE STATES, SHOWED UP FOR THAT MEETING. AWARE THAT LITTLE COULD BE ACCOMPLISHED WITH SUCH A MEAGER DEMONSTRATION OF INTEREST, THEY RESOLVED TO MAKE ONE MORE ATTEMPT AT A NATIONAL CONFERENCE. A DELEGATE FROM NEW YORK, ALEXANDER HAMILTON, TOOK THIS AS AN OPPORTUNITY TO PROPOSE THAT ALL OF THE STATES SEND DELEGATES TO MEET IN PHILADELPHIA THE FOLLOWING MAY, 1787, TO MAKE RECOMMENDATIONS FOR RENDERING THE CONSTITUTION "ADEQUATE TO THE EXIGENCIES OF THE UNION."

IT WAS A BOLD STROKE, FOR THE SUGGESTION WAS NOT JUST TO NEGOTIATE SPECIFIC DIFFERENCES, BUT TO REVIEW AND REVISE THE CONSTITUTION ITSELF. HAMILTON HAD BEEN URGING SUCH A MEETING FOR SIX YEARS. JAMES MADISON, A FELLOW-DELEGATE AT THE ANNAPOLIS MEETING, HAD SUPPORTED HIM IN THIS SINCE THE TWO MEN HAD SAT TOGETHER IN CONGRESS THREE YEARS EARLIER. NOW THE CONSIDERABLE SKILLS, PRESTIGE, AND VISIONARY WISDOM OF ALL THREE OF THESE GENTLEMEN WERE ABOUT TO CONVERGE IN PHILADELPHIA AT WHAT WE NOW KNOW AS THE CONSTITUTIONAL CONVENTION, WHERE OUR PRESENT CONSTITUTION WAS GIVEN BIRTH TWO HUNDRED YEARS AGO.

#7: DANIEL SHAYS OPENS THE WAY TO THE PHILADELPHIA CONVENTION

ON THE LAST TUESDAY OF AUGUST, 1786, A VISITOR RIDING INTO THE LITTLE TOWN OF NORTHAMPTON, MASSACHUSETTS, IS STARTLED TO HEAR ANGRY SHOUTS. SHORTLY HE ENCOUNTERS A MOB OF FARMERS SURROUNDING THE COURTHOUSE. THERE ARE ABOUT FIFTEEN HUNDRED OF THEM, MOST OF THEM WITH STAVES AND PITCHFORKS, SOME WITH RIFLES. LED BY CAPTAIN DANIEL SHAYS, A VETERAN OF THE BATTLE OF BUNKER HILL, THESE FARMERS ARE DEEP IN DEBT FROM INFLATED COSTS AND HEAVY TAXES. MANY OF THEM HAVE HAD THEIR CATTLE AND LAND CONFISCATED THROUGH FORECLOSURE. THEY AREN'T ABOUT TO LET THE COURT MEET TO TAKE FROM THEM STILL MORE OR TO TOSS THEM INTO DEBTORS' PRISON.

THIS IS JUST THE OPENING EVENT OF SHAYS' REBELLION -- FIVE MONTHS OF ANGRY DEBTOR MOBS WHO SPREAD THROUGHOUT THE STATE DESTROYING RECORDS AND OPENING PRISON DOORS. THE BANKERS, LAWYERS, AND MERCHANTS VIEWED THIS AS A CLEAR ATTACK ON PROPERTY RIGHTS. THE GOVERNOR URGED CONGRESS TO SEND TROOPS, BUT IT HAD NO TROOPS TO SEND. HE THEN CALLED FOR HIS STATE MILITIA, ONLY TO DISCOVER THAT THERE WAS NONE! FINALLY, THOSE WITH MONEY HIRED THEIR OWN PRIVATE ARMY. IN SPRINGFIELD, ON JANUARY 25th, 1787, THE MERCENARIES BROUGHT THE REBELLION TO AN END. BUT IT WAS APPARENT THAT THE UPRISING HAD POPULAR SUPPORT. REBEL LEADERS WHO HAD EARLIER BEEN CONDEMNED TO DEATH WERE PROMPTLY PARDONED, AND A NEWLY ELECTED MASSACHUSETTS LEGISLATURE WOULD SHORTLY ENACT MANY OF THE REFORMS THE REBELS HAD DEMANDED.

HAD IT NOT BEEN FOR THE FEAR THAT SHAYS' REBELLION INSPIRED IN THE HEARTS OF THE AMERICAN ELITE, THE CONSTITUTIONAL CONVENTION MIGHT NOT HAVE OCCURRED. CONGRESS HAD BEEN RELUCTANT TO ENDORSE THE CALL FOR THE CONVENTION. BUT WHEN IT BECAME EVIDENT THAT THE FLAMES OF DEBTOR REBELLION WERE SPREADING AND THAT THE NATIONAL GOVERNMENT WITH ITS LIMITED POWERS COULD NOT ACT, CONGRESS FINALLY YIELDED, AND MOST OF THE STATES THAT HAD NOT ALREADY APPOINTED DELEGATES IMMEDIATELY DID SO. IT IS IRONIC THAT ONE DANIEL SHAYS, WHOSE BATTLE WAS AGAINST THE ARROGANCE OF GOVERNMENTAL POWER, SET IN MOTION EVENTS THAT OPENED THE WAY TO A STRONGER CENTRAL GOVERNMENT.

#8: OPTIMISM IN THE MIDST OF TURMOIL

> "THE TREASURES OF KNOWLEDGE, ACQUIRED BY THE LABOURS OF PHILOSOPHERS, SAGES, AND LEGISLATORS, THROUGH A LONG SUCCESSION OF YEARS, ARE LAID OPEN FOR OUR USE . . . IN THE ESTABLISHMENT OF OUR . . . GOVERNMENT. IF [OUR] CITIZENS SHOULD NOT BE COMPLETELY FREE AND HAPPY, THE FAULT WILL BE ENTIRELY THEIR OWN."

THESE OPTIMISTIC WORDS OF GENERAL WASHINGTON, ADDRESSED IN JUNE OF 1783 TO THE GOVERNORS OF THE THIRTEEN STATES, CAME IN THE MIDST OF PROBABLY THE MOST ECONOMICALLY DEPRESSED AND POLITICALLY DISORDERED PERIOD IN ALL OF AMERICAN HISTORY. THROUGHOUT THE EARLY 1780s, MANY OBSERVERS, BOTH AT HOME AND ABROAD, HAD GIVEN UP ANY HOPE OF SUCCESS FOR THE NEW REPUBLIC. WASHINGTON'S OWN LETTERS THROUGHOUT THIS PERIOD WERE FILLED WITH EXPRESSIONS OF FRUSTRATION AND DISTRESS OVER THE INCOMPETENCE OF CONGRESS, THE PRECARIOUSNESS OF THE ECONOMY, THE DIVISIVE RIVALRIES AMONG THE STATES, AND THE THREAT FROM FOREIGN POWERS.

THE BOLDLY EXPERIMENTAL AND CREATIVE INITIATIVE REPRESENTED BY THE PHILADELPHIA CONSTITUTIONAL CONVENTION IN 1787 PROBABLY COULD NOT HAVE OCCURRED A GENERATION EITHER EARLIER OR LATER. THE NATION'S DESPERATE NEED FOR A RESTRUCTURING OF GOVERNMENT THAT WOULD SURPASS THE WILDEST IMAGINATIONS OF MOST PEOPLE CAME AT A UNIQUE MOMENT IN HISTORY. THE ATTITUDE AND THINKING OF EUROPEAN PHILOSOPHERS OF THIS PERIOD FOR THE FIRST TIME IN HISTORY REPRESENTED SUPREME CONFIDENCE IN THE IMPORTANCE OF THE INDIVIDUAL AND UNLIMITED FAITH IN MAN'S ABILITY NOT ONLY TO DISCOVER CERTAIN ETERNAL AND UNIVERSAL TRUTHS, BUT ALSO TO APPLY THOSE TRUTHS TO THE SOLUTION OF VIRTUALLY ALL HUMAN PROBLEMS.

THIS PERSPECTIVE HAD INFECTED MOST OF THE MEN OF LEARNING WHO CONVERGED AT THE PHILADELPHIA CONVENTION. ALTHOUGH THEY WERE THOROUGHLY AWARE OF THE ENORMOUS TURMOIL OF THEIR SOCIETY, AS INHERITORS OF THE SUPREME OPTIMISM OF THEIR TIME, THEY WERE PREPARED TO TRY THE "IMPOSSIBLE" IN THE CONSTRUCTION OF AN ADVENTURESOMELY NEW POLITICAL ORDER.

#9: WASHINGTON RECONSIDERS

JUST WEEKS BEFORE THE CONSTITUTIONAL CONVENTION WAS SCHEDULED TO CONVENE, CATASTROPHE THREATENED. THOSE WHO HAD LABORED FOR THIS EVENT KNEW THAT NO ONE PERSON COULD GIVE THE MEETING MORE PRESTIGE, CREDIBILITY, AND CHANCE OF SUCCESS THAN GEORGE WASHINGTON. NOW WORD WAS OUT THAT THE GENERAL WISHED TO WITHDRAW AS A DELEGATE.

IT WAS CERTAINLY NOT FROM ANY OPPOSITION TO THE PURPOSE OF THAT MEETING. AFTER ALL, FOR YEARS HE HAD URGED THAT THE STATES CONVENE TO ADDRESS THE PROBLEMS OF A GOVERNMENT ENFEEBLED BY AN INADEQUATE CONSTITUTION. HE WAS MOST ANXIOUS THAT THE PHILADELPHIA CONVENTION SUCCEED.

BUT AFTER YEARS OF TAXING PUBLIC SERVICE, IT SEEMED THAT PERSONAL CONCERNS COULD NO LONGER BE PUT OFF. HE HAD REFUSED PAY FOR HIS YEARS OF SERVICE AS COMMANDER-IN-CHIEF OF THE CONTINENTAL ARMY. MOST OF HIS FORTUNE NOW CONSISTED OF LAND-HOLDINGS -- ALTHOUGH EXTENSIVE, NOT READILY CONVERTIBLE FOR DAILY EXPENSES. HE WAS "LAND POOR," AND THAT PROBLEM NEEDED TENDING TO. HE WAS ALSO IN ACUTE PAIN FROM A RHEUMATIC SHOULDER. FURTHER, HIS FAVORITE BROTHER HAD JUST DIED, AND NOW HIS MOTHER AND SISTER WERE SO ILL AT FREDERICKSBURG THAT HE FEARED EITHER MIGHT DIE IN HIS ABSENCE. BESIDES, WASHINGTON WASN'T SURE HE WANTED TO RISK HIS REPUTATION IN AN EFFORT THAT HAD A GOOD CHANCE OF FAILING.

HIS CLOSEST FRIENDS BEGGED AND PLEADED WITH HIM FOR SOME TIME TO RECONSIDER, TO PUT OFF HIS PERSONAL CONCERNS A BIT LONGER IN THE INTEREST OF TILTING THE BALANCE OF THE CONVENTION SLIGHTLY MORE IN THE DIRECTION OF SUCCESS. FINALLY AT THE END OF MARCH, PERSUADED THAT HIS ABSENCE FROM THE MEETING MIGHT SEND A FALSE MESSAGE TO HIS COUNTRYMEN THAT HE HAD LOST FAITH IN REPRESENTATIVE GOVERNMENT, WASHINGTON CONSENTED. FORTUNATELY FOR THE NATION, HIS PERSONAL AFFAIRS WERE FURTHER SIDETRACKED. TWO YEARS LATER HE WOULD STILL BE SO "LAND-POOR" THAT HE WOULD HAVE TO BORROW MONEY TO GET TO THE CAPITAL TO ASSUME THE PRESIDENCY OF THE UNITED STATES!

#10: A DEVELOPING AMERICA IN 1787

AMERICA AT THE TIME OF THE PHILADELPHIA CONVENTION WAS OF TRIFLING CONSEQUENCE IN A WORLD WHOSE POWER CENTERS WERE LONDON, PARIS, MADRID, AND ROME. COMPARED TO FRANCE WITH A POPULATION OF SOME TWENTY-FIVE MILLION, AMERICA IN THE MID-1780s COULD CLAIM A NON-SLAVE POPULATION OF ONLY THREE MILLION. ABOUT NINETY PERCENT OF THE PEOPLE LIVED ON RELATIVELY ISOLATED FARMS AND PLANTATIONS, TEN PERCENT IN THE TOWNS. ONLY FIVE TOWNS IN ALL THE LAND HAD POPULATIONS EXCEEDING TEN THOUSAND. AT THE CONVENING OF THE CONSTITUTIONAL CONVENTION, PHILADELPHIA WAS THE LARGEST CITY IN THE NATION, WITH A SCANT THIRTY-FIVE THOUSAND RESIDENTS. THE BRITISH PRESS SEEMED TO TAKE SPECIAL DELIGHT IN PLAYING UP THE TROUBLES BESETTING THE STRUGGLING REPUBLIC, AND IT HAD ITS IMPACT.

STILL, THERE WERE SIGNS OF DEVELOPMENT: FIFTEEN MAJOR COLLEGES, INCLUDING HARVARD, YALE, PRINCETON, AND COLUMBIA. THE FIRST STATE UNIVERSITIES WERE EVEN THEN EMERGING. MORE REMARKABLE WAS THE ATTENTION AMERICANS GAVE TO BASIC EDUCATION. A VISITING FRENCHMAN EXPRESSED SURPRISE THAT VIRTUALLY EVERY AMERICAN COULD READ AND WRITE "ALTHOUGH ALMOST NO FRENCH SAILOR [WAS] ABLE TO DO SO." EVEN ALONG THE FRONTIER, WHERE THERE WERE NO SCHOOLS, THE FAMILY SAW TO THE TEACHING OF THE "THREE Rs." THE NEW REPUBLIC WAS FULL OF MEN WHO HAD NEVER SEEN THE INSIDE OF A SCHOOLHOUSE AND YET WERE NOURISHED ON THE PROSE OF THE KING JAMES BIBLE, PILGRIM'S PROGRESS, ADDISON'S ESSAYS, MILTON, AND THE COUPLETS OF POPE. AS FAR AS KNOWLEDGE OF HIS WESTERN HERITAGE WAS CONCERNED, THE AVERAGE AMERICAN WAS BETTER EDUCATED THAT HE IS TODAY.

HELPING TO KEEP THE PEOPLE INFORMED WERE AT LEAST EIGHTY NEWSPAPERS -- UNCENSORED AND SOUGHT OUT BY A BROAD CROSS-SECTION OF THE POPULACE. THE HUMAN AND CULTURAL BASIS FOR A FREE SOCIETY WAS ALREADY DEVELOPING. IT NEEDED THE ORDERING OF A MORE ADEQUATE CONSTITUTIONAL STRUCTURE. THIS, TOO, WAS IN THE WORKS.

#11: GETTING TO PHILADELPHIA: ARDUOUS TRAVEL

IT IS EARLY MAY OF 1787. DELEGATES FROM ELEVEN OF THE THIRTEEN STATES HAVE SET OUT ON JOURNEYS THAT WILL CONVERGE ON PHILADELPHIA. THEIR INSTRUCTION FROM CONGRESS IS TO ADDRESS THE GLARING INADEQUACIES OF THE NATION'S CONSTITUTION, THE ARTICLES OF CONFEDERATION. THE CONVENTION WOULD BE A WORK OF INTENSE LABOR . . . BUT SO WAS GETTING THERE.

SOME COME ON HORSE-BACK, OTHERS BY COACH ALONG THE RUTTED ROADWAYS. STILL OTHERS SAIL ON CREAKING, STORM-TOSSED PACKETS UP THE COAST LINE. FOR ALEXANDER HAMILTON IT MEANS TWO DAYS OF TRAVEL BY STAGECOACH COMING JUST FROM NEW YORK CITY TO PHILADELPHIA. IT TAKES MORE THAN TWICE AS LONG FOR GEORGE WASHINGTON RIDING UP FROM MOUNT VERNON.

ALTHOUGH THE MUD SEASON IS OVER FOR NEW ENGLAND, ELBRIDGE GERRY, SETTING OUT FROM BOSTON, FACES A FULL WEEK OF TRAVEL. ROUGH TERRAIN MAKES IT ALMOST A TWO-WEEK JOURNEY FOR THE DELEGATES TRAVELING FROM NEW HAMPSHIRE. THEY, HOWEVER, HAVE NOT YET STARTED ON THEIR TRIP AND WILL BE THE LAST TO ARRIVE -- SOMETIME IN JULY WHEN THE CONVENTION IS HALF OVER. IT SEEMS THEY ARE WAITING TO RECEIVE ASSURANCE FROM THEIR STATE LEGISLATURE THAT THEIR EXPENSES WILL BE PAID.

ABRAHAM BALDWIN, A SELF-EDUCATED LAWYER AND YALE-TRAINED THEOLOGIAN KNOWN FOR SERMONS THAT LASTED AS LONG AS TWELVE HOURS, NOW RIDING BY HORSE AND STAGECOACH FROM GEORGIA, HAS TIME TO COMPOSE QUITE A NUMBER OF SERMONS. ENCOUNTERING THE USUAL FALLEN TREES, SWOLLEN RIVERS, AND BROKEN AXLES ALONG HIS EIGHT-HUNDRED MILE ROUTE, BALDWIN HAS NEARLY THREE WEEKS OF TRAVEL.

ON MAY 14th, THE DAY THAT HAD BEEN SET FOR THE OPENING SESSION, DELEGATES FROM ONLY TWO STATES HAVE ARRIVED. OVER THE FOLLOWING DAYS OTHERS TRICKLE IN. IT IS NOT UNTIL MAY 25th THAT A QUORUM OF SEVEN STATES IS OBTAINED AND THE CONSTITUTIONAL CONVENTION BEGINS. IT WILL CONTINUE FOR NEARLY FOUR MONTHS, ADJOURNING FINALLY ON SEPTEMBER 17th. BY THEN NEARLY A QUARTER OF THE DELEGATES WILL HAVE ALREADY MADE THEIR JOURNEYS BACK HOME. BUT THOSE WHO REMAIN WILL BE ABLE TO REPORT WITH PRIDE A "MISSION ACCOMPLISHED."

#12: A GRAND ENTRANCE FOR A GREAT MAN

IT IS SUNDAY AFTERNOON, MAY 13th, 1787. GENERAL WASHINGTON HAS ARRIVED IN PHILADELPHIA, A DAY BEFORE THE APPOINTED BEGINNING OF THE CONSTITUTIONAL CONVENTION. AT GRAY'S FERRY LANDING A SMARTLY ATTIRED OFFICER ESCORT JOINS THE ENTOURAGE THAT HAS ALREADY SURROUNDED HIS "CHARIOT CARRIAGE." WITH BELLS PEALING AND CANON BOOMING, LINES OF TROOPS SALUTE THE STATELY FIGURE AS HE PASSES BY.

THE FIFTY-FIVE-YEAR-OLD WASHINGTON IS ALREADY FOREMOST AMONG ALL HIS COUNTRYMEN IN THE HEARTS OF THE PEOPLE. HE HAS ESTABLISHED HIS CREDENTIALS AS A GRAND STATESMAN IN BOTH VIRGINIA AND NATIONAL POLITICS. BUT MOST INDELIBLY EMBLAZONED IN THE MINDS OF HIS COMPATRIOTS ARE THE EIGHT TUMULTUOUS YEARS HE SERVED AS COMMANDER-IN-CHIEF OF THE CONTINENTAL ARMY.

AT A TIME WHEN MANY, FEARFUL OF THE WAR'S OUTCOME, VACILLATED IN THEIR COURAGE, WASHINGTON HAD BEEN A BASTION OF RESOLVE. AND IT WOULD HAVE BEEN <u>HIS</u> HEAD THAT WOULD HAVE BEEN THE FIRST TO ROLL IN DEFEAT . . . AN EVER-REAL POSSIBILITY, THE GENERAL KNEW WELL. WASHINGTON'S GREATNESS WAS IN HIS STRENGTH OF CHARACTER, DESCRIBED BEST BY A BRITISH HISTORIAN WHO WROTE THAT THIS MAN "HAD LEARNED THE INMOST SECRET OF THE BRAVE, WHO TRAIN THEMSELVES TO CONTEMPLATE . . . THE WORST THAT CAN HAPPEN AND IN THOUGHT RESIGN THEMSELVES -- BUT IN ACTION RESIGN THEMSELVES NEVER."

THE OUTPOURING OF ADULATION THAT WAS NOW BEING SHOWERED UPON THAT GREAT AMERICAN AS HE ARRIVED TO MAKE STILL ANOTHER MAJOR CONTRIBUTION AT THE CONSTITUTIONAL CONVENTION, CAME FROM A PEOPLE NOW SECURE ENOUGH TO ACCLAIM THE COURAGE OF A MAN WHO HAD CARRIED THEM THROUGH WHEN SOME HAD FOUND THEIR OWN COURAGE LACKING. THEIR GRATITUDE WAS GENUINE. MANY WERE, IN FACT, WILLING, AS THEY HAD BEEN IN THE WAR YEARS, TO ENTRUST THIS MAN WITH VIRTUALLY DICTATORIAL POWERS. IT WAS A SIGN OF WASHINGTON'S GREATNESS THAT HE WOULD AGAIN FORSWEAR SUCH POWER.

#13: PHILADELPHIA IN 1787

PHILADELPHIA AT THE TIME OF THE CONSTITUTIONAL CONVENTION IS A VIBRANT AND GROWING CITY, RAPIDLY APPROACHING A POPULATION OF FORTY THOUSAND. ON ITS BUSTLING WHARFS INNUMERABLE IMMIGRANTS AND VISITORS FROM ABROAD FIRST SET FOOT IN AMERICA. AS THE DELEGATES CONVERGE ON INDEPENDENCE HALL TO TAKE UP THEIR TASK OF CONSTITUTION MAKING, PHILADELPHIA IS HOSTING CONVENTIONS ALSO FOR THE PRESBYTERIANS, THE BAPTISTS, THE CINCINNATI, AND THE ABOLITIONISTS. THIS LARGEST OF AMERICA'S CITIES HAS THE INNS TO ACCOMMODATE THEM -- MOST OF THEM PLUSH BY THE STANDARDS OF THE TIME. EUROPEANS OFTEN COMMENT ON WHAT THEY CONSIDER A BARBAROUS PRACTICE OF AMERICAN INN KEEPERS: THAT OF ADMITTING ANOTHER MAN TO ONE'S BED WHEN HE IS ASLEEP. HOWEVER, DELEGATES TO THE CONSTITUTIONAL CONVENTION AT LEAST SEEM TO KNOW THE PERSON SNORING NEXT TO THEM.

PHILADELPHIA IN THE 1780's IS AN INVENTIVE CITY. MOST OF ITS BUILDINGS FEATURE THE FRANKLIN LIGHTNING ROD, A CREATION OF ITS MOST FAMOUS RESIDENT. A PHILADELPHIAN BY THE NAME OF FITCH, AT THE VERY MOMENT OF THE CONSTITUTIONAL CONVENTION, IS DESIGNING A BOAT ENGINE POWERED BY STEAM. TOOTHBRUSHES ARE JUST COMING INTO FASHION, ALTHOUGH CONSIDERED SOMEWHAT EFFETE. IF A GENTLEMAN WANTS TO SWEETEN HIS BREATH, HE RUBS HIS TEETH WITH A CLOTH DIPPED IN SNUFF.

ALREADY, THROUGHOUT AMERICA, PHILADELPHIA IS KNOWN FOR ITS ACADEMIES, ITS OIL STREETLAMPS, ITS FIRE COMPANIES, ITS MUSEUMS, AND, NOT LEAST OF ALL, ITS PRISONS. THE LATTER HAD BEEN DESIGNED BY THE CITY'S QUAKERS TO PROVIDE A TREATMENT OF PRISONERS FAR MORE HUMANE THAN HAS BEEN THE PRACTICE ELSEWHERE. EVEN AS THE DELEGATES TO THE CONSTITUTIONAL CONVENTION ARRIVE AND DEPART FROM THEIR DAILY SESSIONS IN INDEPENDENCE HALL, THEY COMMENT ON THE IMPOSING FOUR-STORY WALNUT STREET PRISON DIRECTLY ACROSS FROM THEIR MEETING PLACE. LITTLE DO ANY OF THEM SUSPECT THAT A DECADE LATER ONE OF THE MORE DISTINGUISHED, AND INDEED THE WEALTHIEST, AMONG THEM WILL BE AN INMATE AT A SIMILAR PHILADELPHIA PRISON JUST A FEW BLOCKS AWAY, UNDER THE STATE'S SEVERE DEBTOR LAWS.

#14: A SMALL GATHERING FOR A MAJOR EVENT

IN THE FALL OF 1786, SEVERAL MONTHS BEFORE CONGRESS AUTHORIZED THE CALLING OF A CONSTITUTIONAL CONVENTION, SEVEN OF THE THIRTEEN STATES HAD ALREADY NAMED DELEGATES TO ATTEND. ONLY AFTER THE NATIONAL GOVERNMENT HAD FOUND ITSELF UNABLE TO ADDRESS MOUNTING PROBLEMS IN THE FACE OF ECONOMIC ANARCHY, DEBTOR REBELLIONS, AND ATTACKS ON ITS OWN BORDERS, AND WHEN IT LOOKED AS IF A CONSTITUTIONAL CONVENTION WAS GOING TO OCCUR WITH OR WITHOUT ITS BLESSING, DID CONGRESS BELATEDLY AND RELUCTANTLY GIVE ITS APPROVAL. OTHER STATES IMMEDIATELY FOLLOWED IN APPOINTING THEIR DELEGATES. ONLY RHODE ISLAND, FEARFUL OF THOSE EINTERESTS CHAMPIONING A STRONGER NATIONAL GOVERNMENT, REFUSED TO BECOME INVOLVED.

ALL-TOLD, THE TWELVE PARTICIPATING STATES APPOINTED SOME SIXTY-FIVE DELEGATES TO THE PHILADELPHIA MEETING. TEN OF THEM NEVER SHOWED UP. OF THE FIFTY-FIVE WHO APPEARED AT ONE TIME OR ANOTHER, ABOUT A DOZEN DROPPED OUT ALONG THE WAY -- EITHER DISSATISFIED WITH THE PROCEEDINGS OR MORE CONCERNED WITH ATTENDING TO BUSINESS BACK HOME. IT WAS, AFTER ALL, A LONG CONVENTION, LASTING NEARLY FOUR MONTHS. SEVERAL OF THE DELEGATES HAD RATHER SPOTTY ATTENDANCE, COMING AND GOING, SOME ABSENT FOR DAYS OR WEEKS AT A TIME. NO MORE THAN ELEVEN STATES WERE REPRESENTED AT ANY ONE TIME, SOMETIMES FEWER. ANYONE GLANCING INTO THE MEETING ROOM ON AN AVERAGE DAY WOULD HAVE SEEN A RELATIVELY SMALL GROUP -- ABOUT THIRTY INDIVIDUALS -- AND CONSIDERABLY FEWER ACTIVELY INVOLVED.

NO ONE WOULD HAVE SURMISED THAT AT NO TIME IN AMERICAN HISTORY WAS A MORE IMPORTANT MEETING GOING TO TAKE PLACE. THIS HANDFUL OF MEN WERE CHARTING THE DESTINY OF UNTOLD MILLIONS OF AMERICANS FOR MANY GENERATIONS TO COME. INDEED, NONE OF THE MEN <u>INSIDE</u> THAT ROOM, THEMSELVES, COULD HAVE POSSIBLY SUSPECTED THAT THEIR RECOMMENDATIONS FOR A CONSTITUTION WOULD STILL BE IN EFFECT TWO CENTURIES LATER.

#15: MEN OF EXTRAORDINARY TALENT

ALTHOUGH IT WAS ONLY A FEW DOZEN DELEGATES WHO ATTENDED THE PHILADELPHIA CONSTITUTIONAL CONVENTION DURING THE SUMMER OF 1787, THERE HAS PROBABLY NEVER BEEN, IN THE ENTIRE SCOPE OF AMERICAN HISTORY, SO MUCH WISDOM AND DISTINCTION OF CHARACTER GATHERED IN ANY ONE PLACE AS THERE WAS ON THIS OCCASION. WILLIAM PIERCE, DELEGATE FROM GEORGIA, WROTE HOME THAT HE WAS GRATIFIED TO SIT IN "THE WISEST COUNCIL IN THE WORLD." JAMES MADISON, HIMSELF ONE OF THE MOST DISTINGUISHED AND ABLE OF THE DELEGATES, WROTE TO A FRIEND THAT THE CONVENTION INCLUDED "THE MOST RESPECTABLE CHARACTERS IN THE UNITED STATES . . . THE BEST CONTRIBUTION OF TALENTS THE STATES COULD MAKE FOR THE OCCASION." EVEN GEORGE MASON, WHO FINALLY REFUSED TO SIGN THE NEW CONSTITUTION AND FOUGHT AGAINST ITS RATIFICATION, WROTE TO HIS SON THAT HE WAS PLEASED TO FIND IN THE CONVENTION "MANY MEN OF THE MOST RESPECTABLE ABILITIES . . . OF THE PUREST INTENTIONS." AND A NON-DELEGATE BY THE NAME OF RICHARD HENRY LEE, EVEN IN THE COURSE OF ATTACKING THE DOCUMENT THAT CAME OUT OF THE PHILADELPHIA MEETING, ACKNOWLEDGED THAT "AMERICA PROBABLY NEVER WILL SEE AN ASSEMBLY OF MEN OF LIKE NUMBER MORE RESPECTABLE."

THE ROSTER OF NAMES, ALREADY WELL KNOWN AND RESPECTED AT THAT TIME, INCLUDED GEORGE WASHINGTON, GEORGE MASON, JAMES MADISON, EDMUND RANDOLPH, ALEXANDER HAMILTON, JOHN DICKINSON, SAMUEL JOHNSON, ROBERT MORRIS AND GOUVERNEUR MORRIS, JAMES WILSON, BENJAMIN FRANKLIN, AND JOHN RUTLEDGE. ALL-TOLD, AT THIS TINY GATHERING WERE MORE THAN A DOZEN OF THE GREATEST FIGURES OUR COUNTRY HAS EVER PRODUCED. THE FACT THAT SO MANY, OF SUCH OUTSTANDING ABILITY, WERE AVAILABLE AT THIS CRITICAL POINT IN OUR NATION'S HISTORY IS ALL THE MORE REMARKABLE WHEN WE CONSIDER THAT AMERICA'S <u>TOTAL</u> POPULATION AT THAT TIME WAS NO LARGER THAN THE PRESENT POPULATION OF THE STATE OF WISCONSIN, AND ABOUT ONE-THIRD THE POPULATION OF PRESENT-DAY CUBA. THE CONSTITUTIONAL CONVENTION PROVIDED STRIKING EVIDENCE THAT THE NATION'S RESOURCES IN TALENT WERE EVER AS RICH AS ITS BOUNTEOUS MINERAL RESOURCES, YET TO BE DISCOVERED.

#16: MEDIOCRITY AMIDST MERIT

AMONG THOSE WHO WERE PRESENT AT THE CONSTITUTIONAL CONVENTION IN 1787, NOT ALL WERE OF THE ABILITY AND STATURE THAT WE USUALLY ATTACH TO THAT DISTINGUISHED GATHERING. WILLIAM HOUSTOUN, A DELEGATE FROM GEORGIA, WAS MERCILESSLY DESCRIBED BY ONE OBSERVER AS "A YOUNG LAWYER WITH LITTLE TO RECOMMEND HIM EXCEPT A DISTINGUISHED FAMILY BACKGROUND AND STRIKING GOOD LOOKS." SEVERAL OTHERS SEEMED TO BE OF MEDIOCRE ABILITY AND SLIGHT ACHIEVEMENT, CERTAINLY WHEN COMPARED TO SUCH GIANTS AS JAMES MADISON, SAMUEL JOHNSON, JAMES WILSON, GOUVERNEUR MORRIS, AND ALEXANDER HAMILTON.

SEVERAL HAD ACCEPTED THEIR APPOINTMENTS AS DELEGATES EVEN WHILE SERIOUSLY DOUBTING THAT THE EFFORT TO PROVIDE A MORE ADEQUATE STRUCTURE OF UNION WOULD SUCCEED. THE CONGRESS, THEN MEETING IN NEW YORK, COMPLAINED OF LOSING ALMOST A FOURTH OF ITS OWN MEMBERS TO THE PHILADELPHIA MEETING. SINCE THE END OF THE WAR IT HAD BEEN DIFFICULT ENOUGH FOR THEM TO OBTAIN A QUORUM. CONGRESSMAN WILLIAM GRAYSON OBSERVED, "I HARDLY THINK MUCH GOOD CAN COME [OF THE PHILADELPHIA CONVENTION]; THE PEOPLE OF AMERICA DON'T APPEAR . . . RIPE FOR ANY GREAT INNOVATIONS." ONE OF HIS CONGRESSIONAL COLLEAGUES, A MAN BY THE NAME OF WILLIAM BLOUNT, ACCEPTED HIS APPOINTMENT TO GO TO THE CONVENTION ALTHOUGH HE WAS CONVINCED, IN HIS OWN WORDS, THAT "WE SHALL ULTIMATELY . . . JUST BE SEPARATE AND DISTINCT [STATES], PERFECTLY INDEPENDENT OF EACH OTHER." THE RECORD INDICATES THAT BLOUNT WAS ONE OF SIX DELEGATES WHO, THROUGHOUT THE ENTIRE THREE AND A HALF MONTHS OF THE MEETING, UTTERED NOT ONE WORD, EXCEPT FOR A FEEBLE REMARK ON THE FINAL DAY. INDEED, IT APPEARS THAT MORE THAN A DOZEN OF THE FIFTY-FIVE DELEGATES MADE NO NOTABLE CONTRIBUTIONS.

ALL THE MORE REMARKABLE IT IS THEN THAT SLIGHTLY MORE THAN A DOZEN OTHERS -- UNDAUNTED BY THE SKEPTICISM AND RESIGNATION OF THEIR COLLEAGUES -- HAD THE VISION, STAMINA, AND COURAGE TO ENGAGE IN A LONG, HOT SUMMER OF OFTENTIMES DISCOURAGING DEBATE AND TO BATTLE FOR A CONSTITUTION THAT SO MANY WERE CONVINCED COULD NOT COME TO FRUITION.

#17: PROFILE OF THE DELEGATES

THE DELEGATES AT THE PHILADELPHIA CONSTITUTIONAL CONVENTION WERE AN UNUSUALLY YOUNG GROUP. ALMOST HALF OF THE FIFTY-FIVE MEN WERE IN THEIR 30s OR YOUNGER. THE YOUNGEST OF THE FOUNDING FATHERS WAS ONLY 26. BEN FRANKLIN WAS THE OLDEST BY FAR, AT 81. THE AVERAGE AGE WAS BARELY 43.

DESPITE THEIR RELATIVE YOUTH, THEY REPRESENTED A WEALTH OF EXPERIENCE IN PUBLIC SERVICE. EIGHT HAD SIGNED THE DECLARATION OF INDEPENDENCE. ABOUT TWENTY HAD HAD PREVIOUS EXPERIENCE IN CONSTITUTION MAKING IN THEIR OWN STATES. ELEVEN HAD BEEN OFFICERS IN WASHINGTON'S ARMY. FORTY-TWO HAD SERVED IN CONGRESS. EVEN AT THE MOMENT OF THE PHILADELPHIA CONVENTION, MORE THAN FORTY OF THEM HELD HIGH OFFICES IN THEIR STATE GOVERNMENTS, THREE AS GOVERNORS.

IN TERMS OF OCCUPATION, A STRONG MAJORITY OF THE DELEGATES WERE LAWYERS; THE REST WERE BUSINESSMEN, PLANTERS, PHYSICIANS, AND A COUPLE WERE COLLEGE PRESIDENTS. THE CONSTITUTION WAS NOT DRAFTED BY SMALL FARMERS OR LABORERS. THEY WERE GENERALLY MEN OF CONSIDERABLE WEALTH. MORE THAN HALF OF THEM HAD COLLEGE EDUCATIONS. VIRTUALLY ALL WERE WELL-READ. SEVERAL OF THE DELEGATES WOULD LATER SERVE SOME OF THE IMPORTANT OFFICES THEY WERE NOW CREATING. TWO WOULD BECOME PRESIDENT, ONE VICE-PRESIDENT, FOUR WOULD BE AMBASSADORS, FOUR WOULD SERVE AS CABINET OFFICERS, FIVE ON THE SUPREME COURT, ELEVEN WOULD TAKE SEATS IN THE HOUSE OF REPRESENTATIVES, AND SIXTEEN IN THE SENATE.

FOR MANY OF THEM, HOWEVER, IT WAS A BLESSING THAT, AS MORTALS, THE FUTURE WAS NOT THEIRS TO SEE. FOR IN THE YEARS AFTER THE CONVENTION, TEN OF THE FIFTY-FIVE DELEGATES WOULD COME TO FINANCIAL RUIN, SIX WOULD LANGUISH IN SHATTERED HEALTH, TWO WOULD DIE IN DUELS, TWO WOULD DABBLE IN TREASON, ONE WOULD BECOME A MEMORABLE DRUNKARD, ONE WOULD BE POISONED BY A GREEDY HEIR, ANOTHER WOULD BECOME INSANE, AND STILL ANOTHER WOULD DISAPPEAR WITHOUT A TRACE. YET, AT THIS SINGULAR MOMENT, IN THE SUMMER OF 1787, EXPERIENCE, EDUCATION, WEALTH, THE RESPECT OF THEIR PEERS, AND THE FORTUITOUS TIMING OF EVENTS HAD BROUGHT EACH OF THESE MEN INTO THE PRESENCE OF A MOST DISTINGUISHED COMPANY AND PROVIDED THEM WITH THE OPPORTUNITY FOR RENDERING AN INVALUABLE SERVICE TO THEIR COUNTRY: THE WRITING OF A CONSTITUTION.

#18: FAITH OF OUR (FOUNDING) FATHERS

THE FOUNDING FATHERS AT THE CONSTITUTIONAL CONVENTION WERE NOT THE DEVOUTLY RELIGIOUS FIGURES THAT SUCCEEDING GENERATIONS HAVE SOMETIMES PAINTED. ALTHOUGH MANY OF THEM WERE FOREIGN BORN, IT WAS THEIR GRANDPARENTS, NOT THEY, WHO HAD STRUGGLED WITH RELIGIOUS PERSECUTION. THEIR FASCINATION WAS WITH THE UNFOLDING WONDERS OF THE PHYSICAL WORLD REVEALED THROUGH THE STEADY ADVANCES OF SCIENTIFIC INQUIRY. ORTHODOXY, IN THE MIND OF THE EDUCATED, TENDED TO BE EQUATED WITH SUPERSTITION. THESE MEN WHO GATHERED AT PHILADELPHIA IN 1787 CONSIDERED THEMSELVES LIBERATED FROM WHAT THEY TOOK TO BE THE UNCRITICAL ASSERTIONS OF THEIR ANCESTORS, TOO "ENLIGHTENED" TO SUBSCRIBE TO THE STERN DOCTRINES OF THEIR PURITAN FOREBEARS.

GEORGE WASHINGTON, ALTHOUGH HE ATTENDED CHURCH MORE OR LESS REGULARLY, SEEMS TO HAVE STUDIOUSLY AVOIDED PARTICIPATING IN PUBLIC PRAYER OR THE TAKING OF COMMUNION. THE LEADING FIGURES OF THE CONSTITUTIONAL CONVENTION HAD BEEN INFLUENCED BY THE RELIGIOUSLY CAUTIOUS AND SKEPTICAL ATTITUDE KNOWN AS "DEISM," WHICH REACHED ITS PEAK IN THEIR GENERATION. JOHN ADAMS, BENJAMIN FRANKLIN, THOMAS JEFFERSON, AND JAMES MADISON ALL ENDED UP UNITARIANS, AN EXPRESSION OF DEISM. EVEN WHEN THE ELDERLY FRANKLIN, IN THE MIDST OF A PARTICULARLY TRYING WEEK OF THE CONVENTION, SUGGESTED THAT THEY BEGIN THEIR DAILY SESSIONS WITH PRAYER, HIS PIETY WAS REGARDED AS THAT OF AN "OLD FOGEY." HIS MOTION WAS NOT ACTED UPON.

TO THE EXTENT THAT THESE FOUNDING FATHERS WERE DEVOTED, MOST OF THEIR DEVOTION APPEARED TO BE DIRECTED TOWARD WORLDLY ACHIEVEMENT RATHER THAN HEAVENLY ACCLAIM. THEIR FAMED TOLERANCE OF RELIGION WAS ROOTED LESS IN A CONCERN THAT RELIGION BE ALLOWED TO FLOURISH THAN IN A DESIRE THAT DISSIDENT AND UNORTHODOX IDEAS BE PROTECTED FROM EXCESSIVE AND DOGMATIC EXPRESSIONS OF RELIGION. WHILE MOST OF THEM DID NOT VEER TO THE OPPOSITE EXTREME OF ATHEISM, THE "FAITH OF OUR FATHERS" WHICH SOME SING ABOUT TODAY, IF WE MEAN BY IT THE FAITH OF OUR FOUNDING FATHERS, WAS A VERY UNORTHODOX AND CAUTIOUS FAITH.

#19: THE VIRGINIA PLAN

THE DATE IS MAY 1st, 1787. THE PLACE IS NEW YORK CITY -- THE NATION'S CAPITAL. JAMES MADISON, ONE OF VIRGINIA'S DELEGATES TO CONGRESS, HAS BEEN APPOINTED TO REPRESENT HIS STATE AT THE CONSTITUTIONAL CONVENTION. HE TAKES LEAVE OF HIS CONGRESSIONAL DUTIES, MOUNTS HIS HORSE, AND BEGINS THE TWO-AND-A-HALF DAY TRIP TO PHILADELPHIA.

REFLECTIVE AND EXCEPTIONALLY KNOWLEDGAEBLE, THE THIRTY-SIX YEAR OLD BACHELOR REPRESENTS A PROFOUND BLEND OF POLITICIAN AND SCHOLAR. HE RIDES ALONE, AND HIS MIND IS FILLED WITH THOUGHTS OF IMPROVEMENTS HE WOULD LIKE TO SEE IN THE STRUCTURE OF THE AMERICAN GOVERNMENT AND STRATEGIES FOR EFFECTING THOSE CHANGES. FOR SEVERAL YEARS NOW MADISON HAS WORKED TO BRING THIS MEETING ABOUT AND MORE RECENTLY HAS URGED THE MOST CAPABLE AMONG HIS FELLOW VIRGINIANS TO SERVE AS DELEGATES.

WHEN HE ARRIVES IN PHILADELPHIA ON MAY 3rd, HE IS THE FIRST OF THE OUT-OF-STATE DELEGATES TO APPEAR AND ELEVEN DAYS AHEAD OF THE MEETING'S SCHEDULED CONVENING. HE REALIZES THAT A WELL THOUGHT-OUT PLAN WILL HAVE TO BE OFFERED AT THE OUTSET OF THE CONVENTION TO SET IT ON ITS PROPER COURSE. FOR THE NEXT ELEVEN DAYS JAMES MADISON, IN THE SOLITUDE OF HIS ROOM, WORKS OUT THIS PROPOSAL.

WHEN MAY 14th -- THE APPOINTED DATE FOR THE BEGINNING OF THE CONVENTION -- ARRIVES, DELEGATES ARE PRESENT FROM ONLY TWO STATES: PENNSYLVANIA AND VIRGINIA. WITH THE ASSEMBLY DELAYED ANOTHER WEEK AND A HALF FOR LACK OF ATTENDANCE, MADISON USES THE TIME WELL. PRODDING HIS FELLOW VIRGINIANS INTO MEETING TWO TO THREE HOURS EVERY MORNING, HE PERSUADES THEM TO WORK TOGETHER IN URGING UPON THE CONVENTION WHAT IS SOON TO BE LABELED THE "VIRGINIA PLAN."

THIS PLAN IS INTRODUCED THE FIRST DAY THE CONVENTION TURNS TO ITS SUBSTANTIVE BUSINESS, AND MANY OF ITS MAJOR PRINCIPLES, OVER THE COURSE OF MANY WEEKS OF DEBATE AND DISCUSSION, WILL EMERGE AMONG THE CHIEF INGREDIENTS OF THE FINAL DOCUMENT. IT IS FOR THIS REASON THAT WE TODAY REFER TO JAMES MADISON AS THE "FATHER OF THE AMERICAN CONSTITUTION."

#20: A SILENT PRESIDING OFFICER

IT IS FRIDAY, MAY 25th, 1787. FINALLY DELEGATES FROM SEVEN OF THE THIRTEEN STATES HAVE ARRIVED IN PHILADELPHIA PROVIDING A QUORUM FOR THE CONSTITUTIONAL CONVENTION. AS THEIR FIRST ITEM OF BUSINESS, THEY UNANIMOUSLY SELECT GEORGE WASHINGTON AS THEIR PRESIDING OFFICER. THE GENERAL IS CEREMONIOUSLY ESCORTED TO A THRONE-LIKE CHAIR AT THE FRONT OF THE ROOM.

FOR THE NEARLY FOUR MONTHS THAT FOLLOW, WASHINGTON NEVER MISSES A DAY, PRESIDING OVER THE CONVENTION AS AN ALMOST SUPER-HUMAN FIGURE. YET, UNTIL THE VERY LAST DAY HE WILL NOT SPEAK ONE WORD IN THE ENTIRE DEBATE. THE DELEGATES SEEM AWARE OF THE SLIGHTEST FURROW IN HIS BROW, THE SUBTLEST SIGNS OF PLEASURE OR DISPLEASURE IN THIS MAN OF GREAT RESERVE.

THOSE WHO KNEW WASHINGTON KNEW HIM AS A MAN OF STRONG PASSIONS AND OF INTENSE ANGER, WHEN IT WAS AROUSED. BUT SURPASSING ALL THIS WAS AN EXTRAORDINARY SELF-DISCIPLINE, BORN OF A GREAT STRENGTH OF CHARACTER. WHILE OVERPOWERING IN HIS SHEER PRESENCE, HE WAS NOT OVERBEARING. INDEED, HE WAS KNOWN FOR HIS DIGNITY AND CHARM. ALL WHO ENCOUNTERED HIM SEEMED TO STAND IN AWE: IT IS ONLY NATURAL THAT THEY SHOULD SEEK TO PLEASE.

THROUGHOUT THE CONVENTION WASHINGTON'S MOOD IS GRAVE AND INTENT. SO SEEMINGLY IRRECONCILABLE ARE THE DIFFERENCES AND INTENSE THE PASSIONS AMONG THE DELEGATES THAT THIS MAN WHO HAS SUCH GREAT FAITH IN REASON DOES NOT SEEM TO PERCEIVE MUCH OF IT AT WORK. MIDWAY THROUGH THE PROCEEDINGS WASHINGTON WRITES TO HAMILTON, WHO HAS ALREADY ABANDONED THE CONVENTION, "I ALMOST <u>DESPAIR</u> OF SEEING A FAVORABLE [OUTCOME] . . ., AND . . . [REGRET] HAVING HAD ANY [PART] IN THE BUSINESS." BUT THE SAME RESOLVE OF CHARACTER THAT HAD PULLED THE NATION THROUGH WHAT OFTEN SEEMED TO HAVE BEEN AN ILL-FATED WAR EFFORT A FEW YEARS EARLIER, KEEPS THE DELEGATES PLUGGING AWAY AT WHAT, TO MANY OF THEM, NOW SEEMED AN IMPOSSIBLE TASK. THE INTANGIBLE BUT OVERPOWERING NATURE OF WASHINGTON'S SILENT PRESENCE, WHATEVER DOUBTS WERE DISGUISED WITHIN, RALLIED HIS COLLEAGUES TO THE CAUSE. A NATION STILL LACKING IN SELF-DEFINITION WAS BEGINNING TO FIND ITS IDENTITY THROUGH THE ASSURING AND MAGNETIC PRESENCE OF A MAN WHO APPEARED TO HAVE FOUND HIS.

#21: MADISON AS UNOFFICIAL CONVENTION SECRETARY

ON THE FIRST DAY OF THE CONSTITUTIONAL CONVENTION, MAY 25th, 1787, A MAJOR WILLIAM JACKSON IS ELECTED SECRETARY TO TAKE NOTES ON THE PROCEEDINGS. THE FOUR MONTH JOB WILL PAY THIS MAN A TOTAL OF EIGHT HUNDRED AND SIXTY-SEVEN DOLLARS. JUDGING THE QUALITY OF HIS SERVICES, SOME MIGHT SUGGEST HE WAS VASTLY OVERPAID. MR. JACKSON, TAKING NO NOTES ON THE SUBSTANCE OF THE DELEGATES' DEBATES, MERELY RECORDED THE FORMAL MOTIONS FINALLY MADE AND THE VOTES TAKEN. EVEN ON THESE, HIS NOTES WERE FRAGMENTARY, AND MUCH OF THEM IN HANDWRITING SO POOR IT WAS INDECIPHERABLE.

FORTUNATELY FOR SUBSEQUENT GENERATIONS, THE STORY DOES NOT END HERE. ON THAT SAME DAY, MAY 25th, JAMES MADISON ASKED AND RECEIVED FROM HIS COLLEAGUES PERMISSION, IN EFFECT, TO ACT AS UNOFFICIAL SECRETARY OF THE CONVENTION. FROM THAT MOMENT ON, MADISON SAT FRONT AND CENTER FACING THE OTHER MEMBERS. WITH A DUTCH QUILL HE RECORDED IN A SORT OF MAKESHIFT SHORTHAND EVERYTHING THAT WENT ON, DASHING THE INK WITH SAND TO DRY IT BEFORE MOVING ON TO A NEW SHEET. WHERE SPEECHES WERE AVAILABLE IN WRITING, HE BORROWED THEM FOR COPYING. MR. MADISON WAS NOT ABSENT A SINGLE DAY NOR MORE THAN A FEW MINUTES ANY DAY THROUGHOUT THE ENTIRE CONVENTION. VIRTUALLY EVERY WORD WAS RECORDED, EVEN REMARKS UNCOMPLIMENTARY TO HIMSELF. AT THE END OF EACH DAY THIS INCREDIBLY DILIGENT MAN WOULD RETIRE TO HIS ROOM TO EXTEND UPON HIS ABBREVIATED MARKINGS WHILE HIS MEMORY WAS STILL FRESH. OTHER, MORE FRAGMENTARY NOTES FROM THE CONVENTION ALL CONFIRM THE ACCURACY OF MADISON'S RECORD.

WHAT MAKES THIS STORY ALL THE MORE REMARKABLE IS THAT THIS TINY MAN, WHO NEVER WEIGHED MORE THAN A HUNDRED POUNDS IN HIS ENTIRE LIFE, DURING THIS INSUFFERABLY HOT AND HUMID SUMMER, HAD THE ENERGY TO DEVOTE TO THIS PRODIGIOUS LABOR WHILE CONTRIBUTING MORE TO THE SUBSTANCE OF THE ONGOING DEBATES THAN ANY OTHER DELEGATE. AND ONLY ONE OTHER EQUALLED HIM IN TERMS OF THE SHEER NUMBER OF SPEECHES DELIVERED.

#22: A FREE NATION CONCEIVED BEHIND CLOSED DOORS

A VISITOR NEW TO PHILADELPHIA AND UNAWARE OF THE HISTORIC EFFORT AT CONSTITUTION WRITING THAT IS GOING ON THERE IN THE SUMMER OF 1787, APPROACHES THE FRONT DOOR OF THE STATE HOUSE. AN ARMED SENTRY ADVANCES AND INFORMS HIM THAT THE PUBLIC IS NOT PERMITTED TO ENTER THE BUILDING. THIS IS ONLY PART OF THE MEASURES THAT HAVE BEEN TAKEN TO ASSURE THAT THE PROCEEDINGS OF THE CONSTITUTIONAL CONVENTION ARE WELL HIDDEN FROM PUBLIC VIEW.

THE DELEGATES HAVE ALSO DECIDED THAT, EXCEPT FOR THE DOCUMENT THEY WOULD EVENTUALLY PRODUCE, NOTHING SPOKEN WITHIN THEIR CLOSED DOORS WOULD BE COMMUNICATED TO THE WORLD OUTSIDE, EITHER DURING THEIR SUMMER-LONG MEETING OR FOR YEARS AFTERWARDS. IT WAS A COMMITMENT THAT THEY, WITH FEW EXCEPTIONS, WERE TO KEEP.

TODAY WE WONDER HOW A MEETING THAT WAS TO BE OF SUCH INCREDIBLE PUBLIC IMPORTANCE FOR COUNTLESS GENERATIONS COULD HAVE BEEN CONDUCTED IN SECRECY. BUT THE FOUNDING FATHERS KNEW THAT WHERE THE SPOTLIGHT OF PUBLICITY GLARED, THE FEAR OF APPEARING OUTLANDISH OR NAIVE WOULD LEAD TO IMPORTANT QUESTIONS REMAINING UNASKED, INSIGHTFUL ALTERNATIVES UNEXPLORED, AND UNINFORMED VOTES BEING CAST. ALSO, AWARE THAT IN THE PUBLIC EYE A CHANGE OF POSITION OR COMPROMISE COULD BE MADE TO APPEAR AS WEAKNESS OR A RETREAT FROM PRINCIPLE, THEY WANTED TO BE FREE TO CHANGE THEIR OWN MINDS. THEY KNEW THAT WHAT MIGHT SERVE MOMENTARILY TO SATISFY PUBLIC CURIOSITY AND THE INTEREST OF THE PRESS WAS NOT <u>ALWAYS</u> IN THE GREATER PUBLIC INTEREST.

THE CONSEQUENCES WERE CLEAR AT THE PHILADELPHIA MEETING. WITHIN THE PRIVILEGED ENVIRONMENT PERMITTED BY THEIR SECRECY RULE, AND ABLE TO THINK OUT LOUD, THE DELEGATES OFFERED SOME OF THE MOST IMAGINATIVE AND BRILLIANT IDEAS OUR NATION WAS EVER TO PRODUCE. IN SHORT ORDER THE PEOPLE WOULD HAVE <u>THEIR</u> CHANCE TO DEBATE AND TO ACCEPT OR REJECT THE FINAL PROPOSAL OF THE CONVENTION. BUT FOR NOW THE FRAMERS FELT THE RESTRICTIONS IMPOSED BY THEIR RULE OF SECRECY WERE A REASONABLE PRICE TO PAY FOR A THOROUGHLY CONSIDERED AND WELL FORMULATED CONSTITUTION.

#23: A LONG, HOT PHILADELPHIA SUMMER

THE TIME IS SEVEN IN THE MORNING, IN JULY OF 1787. THE PLACE IS A PHILADELPHIA INN. YOU ARE A DELEGATE TO THE CONSTITUTIONAL CONVENTION. BRIGHT RAYS OF SUNLIGHT AWAKEN YOU, UNREFRESHED, FROM A FITFUL SLUMBER. THROUGHOUT THE NIGHT THE AIR OVER PHILADELPHIA LAY HOT AND HUMID. BY GENERAL RECOLLECTION, IT IS THE CITY'S HOTTEST SUMMER IN FOUR DECADES. HOWEVER WINDOWS HAVE TO BE KEPT CLOSED FOR PROTECTION AGAINST A TORMENT OF BITING FLIES.

IT IS DIFFICULT AT FIRST TO RECALL WHAT DAY IT IS, FOR YOUR EFFORTS AT CONSTITUTION WRITING HAVE BEEN EXHAUSTING AND CONTINUOUS -- MEETING EVERY DAY EXCEPT SUNDAYS, ALREADY NOW FOR SEVERAL WEEKS. LIKE MOST OF THE OUT-OF-TOWN DELEGATES, YOU HAVE LEFT YOUR FAMILY AT HOME, NOT WISHING TO DISRUPT THEIR LIVES FOR A MEETING OF UNCERTAIN DURATION. YOU ARE LODGED AT THE INDIAN QUEEN TAVERN, CROWDED TWO TO A ROOM THAT IS SMALL TO BEGIN WITH. MOST OF THE OTHER DELEGATES ARE HOUSED IN EQUALLY CROWDED QUARTERS NEARBY.

AMIDST THE MOUNTING SOUNDS OF A CITY COMING AWAKE -- THE RHYTHMIC THUMPING OF HOOFS AND THE GRINDING OF IRON WAGON WHEELS AGAINST THE COBBLESTONE PAVEMENT OUTSIDE YOUR WINDOW -- YOU SPLASH COLD BUT SOOTHING WATER FROM A BEDSIDE BASIN AGAINST YOUR ITCHING AND CLAMMY SKIN. AFTER DRESSING, YOU JOIN SOME OF YOUR COLLEAGUES FOR BREAKFAST IN THE TAVERN-ROOM. THE CITY IS FURTHER ENLIVENED AS HAWKERS BEGIN TO RING THEIR HANDBELLS IN THE MORNING STREETS. YOU GLANCE AT A NEWSPAPER YOU HAD NOT FOUND THE TIME OR ENERGY TO READ THE DAY BEFORE. IT GIVES NO INDICATION OF A BREAK IN THE HEAT WAVE.

SO FAR, THERE HAS BEEN SCANT SIGN OF PROGRESS IN THE CONVENTION AS THE INTERESTS THAT DIVIDE THE STATES ARE ARGUED MORE PASSIONATELY THAN THOSE THEY HOLD IN COMMON. THE OPPRESSIVE WEATHER ONLY ADDS TO THE FRUSTRATIONS OF THE TASK AT HAND. SEVERAL DELEGATES HAVE ALREADY RETURNED HOME. YOU WONDER IF YOU SHOULD. BUT YOU DON'T. EVENTUALLY YOU BEGIN TO SEE A GLIMMER OF LIGHT AT THE END OF WHAT HAS BEEN A VERY DARK TUNNEL. THE TASK GETS NO EASIER, BUT THE LIGHT BECOMES BRIGHTER AS YOU CONTINUE TO LABOR, YET <u>ANOTHER</u> TWO MONTHS, AT THE CREATION OF A CONSTITUTION THAT WILL AWAKEN A WHOLE NATION FROM ITS LONG NIGHT OF FITFUL SLUMBER.

#24: A DELEGATE'S WALK TO "CONSTITUTION HALL"

YOU ARE A DELEGATE TO THE PHILADELPHIA CONSTITUTIONAL CONVENTION. ALL OF THE OUT-OF-TOWN MEMBERS OF THAT ASSEMBLY HAVE FOUND LODGING WITHIN ONE TO THREE BLOCKS' WALK OF THEIR MEETING PLACE. EVEN THE HALF DOZEN DELEGATES WHO HAVE THEIR HOMES IN PHILADELPHIA ARE CLOSE-BY. AFTER AN EARLY BREAKFAST YOU SPEND SOME TIME LOOKING OVER SCRIBBLED NOTES OF MATTERS YOU WISH TO PRESENT IN TODAY'S DEBATE.

AS YOU SET OUT WITH FELLOW DELEGATES ON YOUR BRIEF WALK TO THE STATE HOUSE, YOU HEAR THE SOUNDS OF A BUSTLING HARBOR, OF SHIPS UNLOADING THEIR WARES FROM EUROPE AND THE ORIENT. YOU ENCOUNTER SAILORS JABBERING IN A STRANGE TONGUE. THERE IS A GATHERING OF FRENCH NOBLEMEN ENJOYING THEIR FIRST RETURN TO THE STATES AFTER COMBINING THEIR FORCES WITH AMERICA'S IN HER WAR FOR INDEPENDENCE. YOU MOVE ELBOW TO ELBOW WITH FRONTIERSMEN IN THEIR FRINGED LEGGINGS, QUAKERS IN THEIR BROAD-BRIMMED HATS, INDIANS FROM THE WESTERN LANDS, AND GERMANS FROM THEIR FARMS JUST OUTSIDE THE CITY.

AS THE TEMPERATURE MOUNTS, SO DO THE SMELLS OF THE CITY -- NOT ALL OF THEM PLEASANT. IN THE ABSENCE OF SANITATION TECHNOLOGY AND MEDICAL KNOWLEDGE, CITY STREETS THROUGHOUT THE WORLD ARE ASSUMED TO BE LOGICAL DUMPING GROUNDS FOR EXCREMENT AND GARBAGE. PHILADELPHIA IN 1787 IS NO EXCEPTION TO THIS, NOR TO THE RESULTING EPIDEMICS OF TYPHOID, MALARIA, SMALLPOX, DIPHTHERIA, AND SOMETHING CALLED THE "BLOODY FLUX."

AS YOU COME TO YOUR DESTINATION, YOU HEAR HAMMERING. DIRECTLY ACROSS FROM THE STATEHOUSE A BUILDING IS BEING CONSTRUCTED TO HOUSE THE PHILOSOPHICAL SOCIETY. EVENTUALLY THE STATE HOUSE WILL BE KNOWN AS INDEPENDENCE HALL OR CONSTITUTION HALL, BUT SO FAR ITS FUNCTION AS A MEETING PLACE FOR THE STATE LEGISLATURE IS FAR MORE SIGNIFICANT IN THE EYES OF THE PUBLIC. INDEED, THE PRESS HAS BEEN REFERRING TO THE DELEGATES' MEETING AS THE "FEDERAL" OR "GRAND" CONVENTION -- NOT A "CONSTITUTIONAL" CONVENTION. MOST OF THE DELEGATES, AT LEAST AT THE OUTSET OF THE MEETING, WOULD HAVE BEEN SCARED AWAY BY THE SUGGESTION THAT THEY WERE MEETING TO DRAFT A NEW CONSTITUTION . . . IN SPITE OF THE FACT THAT THAT IS PRECISELY WHAT THEY WOULD END UP DOING.

#25: BUSINESS BEFORE PLEASURE

IT'S SHORTLY BEFORE TEN O'CLOCK IN THE MORNING AS YOU, A DELEGATE TO THE CONSTITUTIONAL CONVENTION OF 1787, ENTER THE PENNSYLVANIA STATE HOUSE. YOU PROCEED TO THE EAST CHAMBER AT THE BACK OF THE BUILDING. THERE YOU ENTER A LARGE AND HANDSOME ROOM, MEASURING 40 FEET SQUARE, WITH A HIGH PLASTER CEILING, WHITE PANELED WALLS, AND TWO IMPOSING MARBLE FIREPLACES. IT IS THE ROOM IN WHICH THE PENNSYLVANIA STATE LEGISLATURE, NOW IN SUMMER RECESS, MEETS. IT IS THE SAME ROOM IN WHICH THE SECOND CONTINENTAL CONGRESS AND THE CONGRESS UNDER THE ARTICLES OFTEN MET, AND, INDEED, WHERE THE DECLARATION OF INDEPENDENCE WAS SIGNED ELEVEN YEARS EARLIER. ALONG CHESTNUT STREET, JUST OUTSIDE THE CHAMBER'S LOFTY WINDOWS, GRAVEL HAS BEEN STREWN AMONG THE COBBLESTONES SO THAT THE NOISES OF PASSING TRAFFIC WILL NOT DISTURB THE IMPORTANT BUSINESS AT HAND.

YOU EXCHANGE GREETINGS WITH SOME OF YOUR COLLEAGUES. AS THE CLOCK MOUNTED ON THE OUTSIDE OF THE BUILDING IS HEARD TO STRIKE, THE DELEGATES GATHER IN GROUPS OF THREE OR FOUR AROUND TABLES COVERED IN GREEN BAIZE, AND YOU BEGIN YOUR DAY'S LABOR. BECAUSE THE NEED FOR PRIVACY AND THE CITY'S INFESTATION OF BITING FLIES REQUIRE THAT THE WINDOWS REMAIN CLOSED, BY NOON THE AIR IS STIFLING. STILL THE DEBATING CONTINUES FOR NOT LESS THAN FIVE HOURS, MORE COMMONLY SIX, AND SOMETIMES SEVEN HOURS A DAY.

WELL INTO THE AFTERNOON, WHEN THE DAMP SUMMER HEAT HAS REACHED ITS SEVEREST INTENSITY, THE MOTION TO ADJOURN UNTIL THE NEXT MORNING, UNLIKE MOST OF THE OTHER MOTIONS OF THE CONVENTION, CARRIES WITHOUT OPPOSITION. AS YOU RE-EMERGE ONTO WALNUT STREET, THE VIVID SOUNDS OF A PROSPERING CITY MINGLE NOW WITH THE CLANGING OF THE STATE HOUSE CLOCK AS IT STRIKES FOUR TIMES. THE MOOD HAS ALREADY BECOME LESS SERIOUS AND MORE CONVIVIAL. THOSE WHO ONLY MINUTES EARLIER HAD BEEN AT LOGGERHEADS IN EARNEST DEBATE NOW SEEK COMMON RESPITE. EXCEPT FOR A FEW WHO HAVE OTHER SOCIAL OR FAMILY COMMITMENTS, THE DELEGATES SET OUT FOR THE REFRESHMENT OF GOOD FOOD AND "SPIRITS" IN THE ACCOMMODATING PUBS OF PHILADELPHIA. BUT EVEN IN THE MIDST OF THIS MORE RELAXED ENVIRONMENT, SERIOUS CONVERSATION ABOUT CONSTITUTION MAKING DOES NOT CEASE.

#26: IN COMMEMORATION OF AN INDIAN QUEEN

STANDING IN THE EAST ROOM OF PHILADELPHIA'S INDEPENDENCE HALL, ONE IS IMPRESSED WITH THE ENORMOUS ENERGIES AND TALENTS OF THE DELEGATES WHO TOILED THROUGHOUT THE HOT SUMMER OF 1787 IN THEIR EFFORTS TO GIVE BIRTH TO THE AMERICAN CONSTITUTION. CONSIDERING PHILADELPHIA'S REPUTATION FOR HIGH-SOCIETY ENTERTAINMENT AT THAT TIME AND AWARE THAT THE CONVENTION'S DAILY SESSIONS USUALLY ENDED BY THREE OR FOUR O'CLOCK IN THE AFTERNOON, WE ARE EASILY LEFT WITH THE IMPRESSION THAT AFTER THEIR FAIRLY EARLY ADJOURNMENTS THE DELEGATES REFUSED TO LET BUSINESS INTERFERE WITH THEIR PLEASURE. HOWEVER, NOTHING COULD BE FURTHER FROM THE TRUTH.

TO BE SURE, IMMEDIATELY UPON THEIR DAILY ADJOURNMENTS MOST OF THE DELEGATES LOST LITTLE TIME IN REGROUPING AT ONE OR ANOTHER OF THE CITY'S PUBS, WHERE THE ATMOSPHERE WAS RIGHT FOR UNWINDING FROM THE EARLIER EXHAUSTING LABOR. SOME HEADED FOR THE BLACK HORSE, OTHERS FOR THE GEORGE, STILL OTHERS FOR THE INDIAN QUEEN. EACH WAS WITHIN EASY WALKING DISTANCE OF THE OTHERS, AND THOSE WHO STARTED OUT AT ONE PLACE OFTEN ENDED UP AT ANOTHER.

HOWEVER, AFTER THE NECESSARY "RECHARGING," IT WAS NOT LONG BEFORE CONVERSATION RETURNED TO THE MAJOR BUSINESS AT HAND: THAT OF CONSTITUTION WRITING. DIARIES AND LETTERS OF THE TIME INDICATE THAT MUCH MANEUVERING, CAUCUSING, AND PLANNING FOR THE NEXT DAY OCCURRED DURING THE EVENING HOURS IN THE RELAXED AND CONVIVIAL ENVIRONMENT OF THE CITY'S TAVERNS. THE FAVORITE SPOT FOR SERIOUS DISCUSSION IN THE AFTER-HOURS WAS CLEARLY THE INDIAN QUEEN. SINCE ABOUT A QUARTER OF THE CONVENTION'S DELEGATES WERE LODGED THERE, IT WAS A CONVENIENT GATHERING PLACE. AND, IN TIME, THEY WERE GIVEN A MEETING ROOM OF THEIR OWN AT THE INDIAN QUEEN WHERE THEY COULD TALK FREELY AMONG THEMSELVES.

ALTHOUGH TEXTBOOKS PROPERLY REFER TO INDEPENDENCE HALL AS THE BIRTHPLACE OF THE AMERICAN CONSTITUTION, A ROOM IN A PHILADELPHIA TAVERN, JUST A HALF-BLOCK AROUND THE CORNER FROM INDEPENDENCE HALL, DESERVES TO BE ACKNOWLEDGED AS THE "LABOR ROOM" WHERE OUR CONSTITUTION'S BIRTH WAS INDUCED.

#27: PHILADELPHIA'S SOCIAL LIFE

A FLURRY OF SOCIAL ACTIVITY GREETS THE GENTLEMEN, SOME ACCOMPANIED BY THEIR WIVES, WHO CONVERGE UPON PHILADELPHIA IN 1787 FOR THE CONSTITUTIONAL CONVENTION. THE CITY'S HOSTESSES, DRESSED IN EXPENSIVE EUROPEAN FINERY, VIE WITH EACH OTHER FOR THE DISTINCTION OF ENTERTAINING THE MOST DISTINGUISHED. MANY ARE SOUGHT AFTER, BUT NONE MORE THAN GEORGE WASHINGTON.

AS SOON AS HE ARRIVES IN TOWN, HIS CLOSE FRIEND AND MEMBER OF THE PENNSYLVANIA DELEGATION, ROBERT MORRIS, INSISTS THAT THE GENERAL BE HIS AND MRS. MORRIS'S GUEST AT THEIR ELABORATE HOME, THE SHOWPIECE OF THE TOWN. TWO YEARS LATER, AFTER WASHINGTON WAS TO BE APPOINTED TO THE PRESIDENCY OF THE UNITED STATES, AND PHILADELPHIA FOR A BRIEF YEAR WAS TO BECOME THE NATION'S FIRST CAPITAL UNDER THE NEW CONSTITUTION, THE MORRISES WOULD LOAN THAT SAME HOME TO THE WASHINGTONS, MAKING IT, IN EFFECT, THE NATION'S FIRST "WHITE HOUSE."

BUT FOR NOW, WASHINGTON ACCEPTS THE MORRISES' KIND OFFER, AND WITH THE DIGNITY AND CHARM FOR WHICH HE IS NOTED, ENTERS FULLY INTO THE SWIRL OF EVENING BANQUETS, BALLS, CONCERTS, AND PLAYS. IN HIS LETTERS HE OCCASIONALLY BETRAYS SOME TEDIUM OVER THE ELABORATE PRETENTIONS OF PHILADELPHIA SOCIAL LIFE. BUT HE IS FAR MORE ENDURING THAN HIS FELLOW VIRGINIAN, GEORGE MASON, WHO WITHIN TEN DAYS OF HIS ARRIVAL WRITES HIS SON COMPLAINING, "I . . . GROW HEARTILY TIRED OF THE ETIQUETTE AND NONSENSE SO FASHIONABLE IN THIS CITY." AT THE SAME TIME, A FRENCH VISITOR IS WRITING HOME THAT HE FINDS PHILADELPHIANS TO BE "ALARMINGLY VIRTUOUS AND ITS MAIDENS UNBELIEVABLY PRIM."

A YOUNG ENGLISHMAN OBSERVES THAT WHILE THE CITY IS INCREDIBLY BUSY AND NOISY DURING THE DAY, YET "THERE IS PROBABLY NO CITY IN THE WORLD SO QUIET BY ELEVEN O'CLOCK AT NIGHT." THE DEAD SILENCE IS BROKEN ONLY BY THE WATCHMAN ANNOUNCING THE TIME AND WEATHER EVERY HOUR UNTIL DAWN. HOWEVER, MOST OF THE DELEGATES, WHETHER PARTAKING MUCH OF THE LOCAL SOCIAL LIFE OR NOT, ARE FAR TOO EXHAUSTED FROM THEIR DAY'S MORE SERIOUS ENDEAVORS TO HEAR THE WATCHMAN CALL OUT.

#28: BEN FRANKLIN: CITIZEN OF THE WORLD

FOUR HUSKY MEN, ONE AT EACH END OF TWO FLEXING POLES, TRED CAUTIOUSLY, BEARING THE CONSIDERABLE WEIGHT OF A SEDAN CHAIR AND ITS CARGO, A STOUT MAN, WELL UP IN HIS YEARS. A NEWCOMER ON THE SCENE MIGHT THINK HE HAD BEEN CONVEYED INTO SOME EXOTIC, ORIENTAL DESPOTISM. HOWEVER, THE SETTING IS NOT SIAM, BUT PHILADELPHIA. AND THE PASSENGER IS NO FOREIGN POTENTATE, BUT THE JOVIAL BENJAMIN FRANKLIN, THE MUCH BELOVED AND WORLD-FAMOUS SCIENTIST, INVENTOR, PHILOSOPHER, AND STATESMAN.

NORMALLY A MAN OF SIMPLE TASTES AND NOT PARTICULARLY GIVEN TO CEREMONY, BUT NOW HAVING TO YIELD TO THE INFIRMITIES OF ADVANCED AGE, THE 81-YEAR-OLD FRANKLIN IS BEING TRANSPORTED FROM HIS HOME A FEW BLOCKS AWAY TO THE STATE HOUSE FOR THE CONSTITUTIONAL CONVENTION. THE SEDAN CHAIR IS THE ONLY MODE OF TRANSPORTATION THAT DOES NOT JOSTLE HIM PAINFULLY AND HAS ALREADY BECOME A FAMILIAR SIGHT IN PHILADELPHIA.

FRANKLIN'S TRANSPORTERS ARE FOUR TRUSTED CONVICTS FROM THE WALNUT STREET JAIL. THEY CARRY HIM INTO THE EAST ROOM OF THE STATE HOUSE, WHERE HE IS HELPED INTO HIS ARMCHAIR. EVEN ON THOSE OCCASIONS THROUGHOUT THE SUMMER WHEN HE IS ABLE TO ATTEND THE CONVENTION, HIS SPEECHES HAVE TO BE READ <u>FOR</u> HIM BY A COLLEAGUE.

TO MOST AMERICANS AT THAT TIME, HE EMBODIES THE RECOGNITION THEY SO FERVENTLY SOUGHT FROM ABROAD. HE HAD SPENT TWENTY-FIVE OF THE PREVIOUS THIRTY YEARS SERVING HIS COUNTRY IN EUROPE, WHERE HE WAS COMMONLY REFERRED TO AS "THE GREATEST MAN IN THE WORLD."

BY THE CLOSE OF THE CONVENTION BEN FRANKLIN HAD ONLY TWO YEARS TO LIVE, BUT HIS IDEALISM WAS UNDIMINISHED. HE IMMEDIATELY SENT TO HIS FRIENDS IN EUROPE A COPY OF THE PROPOSED CONSTITUTION, ADVISING THAT IF THIS DOCUMENT PROVED WORKABLE FOR THE THIRTEEN STATES WITH ALL THEIR DIVERSE INTERESTS, THEY OUGHT THEMSELVES TO HAVE THEIR OWN CONVENTION AND FORM ONE GRAND EUROPEAN FEDERAL UNION. FRANKLIN'S VISION ANTICIPATED BY NEARLY TWO CENTURIES THE EUROPEAN ECONOMIC COMMUNITY.

#29: MADISON'S RISE FROM REJECTION

IT IS THE AUTUMN OF 1783. THIRTY-TWO YEAR OLD JAMES MADISON IS NEARING THE END OF HIS TERM IN CONGRESS. HIS FIANCEE, HALF HIS AGE, HAS JUST LEFT HIM FOR A YOUNGER MAN. MADISON TAKES THE REJECTION HARD.

WHEN HIS TERM OF OFFICE ENDS, HE RETURNS TO ORANGE COUNTY, VIRGINIA, AND, HEART-BROKEN, BURIES HIMSELF IN HIS BOOKS. AS THE MONTHS PASS AND LOVER'S WOUNDS BEGIN TO HEAL, THE INCREASINGLY OBVIOUS DISORDER OF THE COUNTRY LEADS MADISON ON AN ALMOST FRENZIED SEARCH FOR ANSWERS. IN EARLY 1785 HE IMPLORES HIS FRIEND, THOMAS JEFFERSON, IN PARIS, TO SEND BACK ANY BOOKS HE CAN FIND ON ANCIENT AND MODERN REPUBLICS AND CONFEDERACIES. THE BOOKS ARRIVE BY THE HUNDREDS. MADISON DELVES INTO THEM AS A DOCTOR SEEKING A CURE FOR A DISEASE. THE RECORDS OF HISTORY AND THE RUMINATIONS OF PHILOSOPHERS TAKE ON NEW RELEVANCE.

BUT THE REAL VALUE OF HIS EXPANDING KNOWLEDGE DOES NOT BECOME FULLY APPARENT UNTIL THE SUMMER OF 1787, WHEN HE BRINGS TO THE TASK OF CONSTITUTION MAKING THE RESULTS OF HIS YEARS OF UNRELENTING INQUIRY. ONE OF HIS COLLEAGUES WROTE OF HIM THAT HE ALWAYS TURNED OUT TO BE "THE BEST INFORMED MAN ON ANY POINT IN DEBATE" . . . AND "IN THE MANAGEMENT OF EVERY GREAT QUESTION HE . . . TOOK THE LEAD IN THE CONVENTION." THIS, IN SPITE OF THE FACT THAT JAMES MADISON HAD SUCH A WEAK VOICE THAT HIS COLLEAGUES FREQUENTLY CALLED OUT, ASKING HIM TO SPEAK LOUDER, AND HIS SELF-ASSURANCE COMPLETELY FAILED HIM IN LARGE GROUPS.

HOWEVER IN SMALL GATHERINGS, SUCH AS THE CONSTITUTIONAL CONVENTION, THE SHEER LUCIDITY OF HIS LOGIC, BACKED UP BY HIS BREADTH OF KNOWLEDGE AND PERSPECTIVE, OFFERED PERSUASIVE BALANCE AMONG STRONGLY OPPOSED INTERESTS AND VIEWS. CHOICE, COMBINED WITH THE FATE OF CIRCUMSTANCE -- INCLUDING THE PAINFUL REJECTION BY A LOVER SOME FOUR YEARS EARLIER -- HAD PREPARED THE YOUNG MADISON TO PROVIDE NEW IDEAS AS BUILDING BLOCKS FOR A NEW CONSTITUTIONAL FOUNDATION OF THE NATION WHEN IT CRITICALLY NEEDED IT.

#30: ALEXANDER HAMILTON: A MISPLACED MONARCHIST

IN THE SUMMER OF 1787, WITH MEMORIES STILL FRESH OF BRITISH RULE AND OF THE RECENTLY CONCLUDED WAR, AMERICAN SENSITIVITIES TOWARD THE FORMER MOTHER-COUNTRY WERE STILL RAW, AND THOSE SUSPECTED OF HAVING HAD LOYALIST LEANINGS WERE STILL NOT TREATED WELL BY MANY OF THEIR COUNTRYMEN.

IT WAS ALL THE MORE REMARKABLE, THEN, AS THE DELEGATES AT THE CONSTITUTIONAL CONVENTION DELIBERATED ON THE COURSE THEIR NEW NATION SHOULD TAKE, THAT ONE OF THE YOUNGER AMONG THEM SHOULD TAKE THE FLOOR TO PRAISE THE BRITISH FORM OF GOVERNMENT. HIS NAME WAS ALEXANDER HAMILTON. DOUBTLESS, HIS DISTINGUISHED SERVICE IN THE WAR, HIS SUBSEQUENT PIONEERING PERSISTENCE IN BRINGING THE PHILADELPHIA CONVENTION TO FRUITION, AND HIS CLOSE RELATIONSHIP TO GENERAL WASHINGTON HAD ESTABLISHED, IN THE MINDS OF HIS FELLOW DELEGATES, HIS CREDENTIALS AND HIS RIGHT TO BE HEARD. BESIDES, HOWEVER DISTASTEFUL HIS RECOMMENDATIONS, THIS YOUNG MAN WAS OBVIOUSLY KNOWLEDGEABLE. FOR SIX HOURS HAMILTON TALKED ON AND ON, BRASHLY BUT ELOQUENTLY.

THE LESSONS OF HISTORY, TO HIS THINKING, HAD PROVED THE INSTABILITY AND THE FOLLY OF DECENTRALIZED AND POPULAR RULE. THEREFORE, HE PROPOSED A SENATE THAT WOULD REPRESENT THE WEALTHY AND BE APPOINTED FOR LIFE-LONG TERMS. ALSO, HAMILTON WOULD HAVE A KING, SIMILARLY APPOINTED FOR LIFE, AND WITH THE POWER TO VETO ALL LEGISLATION AND TO APPOINT ALL STATE GOVERNORS.

AT THE END OF HIS SPEECH, UNSURPRISINGLY, NO ONE CHOSE TO ACT UPON, OR EVEN TO DISCUSS, HIS RECOMMENDATIONS. DISCOURAGED, HAMILTON ABANDONED THE CONVENTION, STILL ONLY A THIRD OF THE WAY INTO ITS SUMMER-LONG SESSION. FOR THE REST OF HIS LIFE, HIS ENEMIES WOULD LABEL HIM A "MONARCHIST." BUT HIS COMMITMENT TO A STRONG AND HIGHLY CENTRALIZED GOVERNMENT REMAINED UNDIMINISHED. TWO YEARS LATER PRESIDENT WASHINGTON WOULD MAKE HIM THE NATION'S FIRST SECRETARY OF THE TREASURY. AND IN THAT CAPACITY, FOR SIX YEARS, ALEXANDER HAMILTON WOULD DIRECT ALL HIS EFFORTS AT SQUEEZING FROM THE CLAUSES OF THE CONSTITUTION WHATEVER POWERS HE COULD FOR THE CENTRAL GOVERNMENT, THEREBY, IN HIS OWN WORDS, TO STRENGTHEN THE "FRAIL AND WORTHLESS FABRIC" PRODUCED BY THE FRAMERS.

#31: MEN WITH STRONG ARISTOCRATIC LEANINGS

THE FRAMERS OF THE AMERICAN CONSTITUTION DID NOT REFLECT THE DEMOCRATIC SENTIMENT THAT WAS ALREADY EVIDENT AMONG THE POPULACE OF MANY OF THE STATES. INDEED, MOST OF THE DELEGATES AT THE PHILADELPHIA CONVENTION SHARED THE APPREHENSION OF GOUVERNEUR MORRIS, FROM PENNSYLVANIA, WHO WARNED THAT THE DEMOCRATIC TREND, IF UNCHECKED, WOULD LEAD TO THE FORMULATION OF PUBLIC POLICY UNREFLECTIVE OF THE PUBLIC INTEREST. MANY OF THE DELEGATES FEARED, IN THE WORDS OF ONE OF THEM, THAT FUTURE "MULTITUDES WITHOUT PROPERTY OR CHARACTER" WOULD USE THE POWER OF GOVERNMENT TO APPROPRIATE FOR THEMSELVES THE HARD-EARNED REWARDS OF THE DESERVING. FEW THOUGHT THAT THE MAJORITY OF PEOPLE, IF VESTED WITH POWER, WERE CAPABLE OF ACTING INTELLIGENTLY AND ON PRINCIPLE. GEORGE WASHINGTON, IN PRIVATE CORRESPONDENCE, EXPRESSED HIS CONSTERNATION AT WHAT HE TERMED "AN UNACCOUNTABLE KIND OF STUPIDITY IN THE LOWER CLASS."

IN THE MINDS OF ALMOST ALL THE DELEGATES, THE WORD "DEMOCRACY" WAS EQUIVALENT TO MOB RULE. ELBRIDGE GERRY OF MASSACHUSETTS ATTRIBUTED THE PROBLEMS AMERICA THEN FACED, ALREADY IN THE 1780s, TO THE "EXCESS OF DEMOCRACY." "THE PEOPLE," HE INSISTED, "DO NOT LACK VIRTUE, BUT ARE THE DUPES OF OTHERS WHO ARE UNPRINCIPLED." GERRY WENT SO FAR AS TO CHARACTERIZE DEMOCRACY AS "THE WORST OF ALL POLITICAL EVILS." ROGER SHERMAN, FROM CONNECTICUT, AGREED THAT THE PEOPLE "ARE CONSTANTLY LIABLE TO BE MISLED" AND THEREFORE "SHOULD HAVE AS LITTLE TO DO AS POSSIBLE WITH GOVERNMENT." JOHN ADAMS, WHO WOULD LATER BECOME THE SECOND PRESIDENT OF THE NEW REPUBLIC, HAD RECENTLY COMPLETED A STUDY OF EARLIER ATTEMPTS AT DEMOCRACY, IN WHICH HE OBSERVED (QUOTE): "DEMOCRACY NEVER LASTS LONG. THERE NEVER WAS A DEMOCRACY YET THAT DID NOT COMMIT SUICIDE."

DESPITE LATER MISREPRESENTATIONS OF THE AMERICAN FOUNDING FATHERS AS PROPONENTS OF DEMOCRACY, <u>THESE</u> WERE THE CONVICTIONS THAT CHARACTERIZED THE THINKING OF THE VAST MAJORITY OF OUR CONSTITUTION'S FRAMERS AND THAT SHAPED OUR NATION'S FUNDAMENTAL LAW AS IT WAS FORMULATED IN 1787 AND AS IT WAS RATIFIED SHORTLY THEREAFTER.

#32: THREE DEFENDERS OF DEMOCRACY

ONLY THREE OF THE FIFTY-FIVE DELEGATES WHO ATTENDED THE PHILADELPHIA CONVENTION IN 1787 APPEAR TO HAVE BEEN IN FAVOR OF EXTENSIVE AND DIRECT PARTICIPATION BY THE PEOPLE IN THEIR GOVERNMENT. BEN FRANKLIN, ALTHOUGH TOO FEEBLE TO CONTRIBUTE MUCH TO THE CONSTITUTIONAL DELIBERATIONS, FELT IT NECESSARY TO SPEAK OUT AGAINST THOSE WHO, IN HIS WORDS, "TENDED TO DEBASE THE SPIRIT OF THE COMMON PEOPLE." FOR, AS HE SAW IT, "IF POVERTY IS EXPOSED TO PARTICULAR TEMPTATIONS, IT IS NO LESS TRUE THAT THE POSSESSION OF PROPERTY" CARRIES WITH IT ITS OWN TEMPTATIONS.

GEORGE MASON ALSO WAS CONCERNED THAT HIS COLLEAGUES TENDED TO OVERLOOK "THE ABILITY OF THE COMMON MAN TO GIVE REASONABLE DIRECTION TO HIS OWN POLITICAL COURSE." "AFTER ALL," HE REMINDED THEM, WILL NOT OUR OWN CHILDREN "IN SHORT TIME BE AMONG THE GENERAL MASS?" THWARTED IN HIS EFFORTS TO PRODUCE A MORE DEMOCRATIC DOCUMENT, HE WOULD FINALLY REFUSE TO SIGN THE PROPOSED CONSTITUTION AND WOULD RETURN TO VIRGINIA TO FIGHT AGAINST ITS RATIFICATION.

OF ALL THE DELEGATES AT THAT HISTORIC PHILADELPHIA MEETING, JAMES WILSON APPEARS TO HAVE HAD THE MOST PROFOUND CONFIDENCE IN THE PEOPLE AND THE CLEAREST VISION OF WHAT THIS IMPLIED FOR A GOVERNMENT DEMOCRATICALLY DESIGNED. EARLY IN THE CONVENTION HE ANNOUNCED THAT HE WAS FOR "RAISING THE FEDERAL PYRAMID TO A CONSIDERABLE ALTITUDE, AND FOR THAT REASON WISHED TO GIVE IT AS BROAD A BASE AS POSSIBLE." IN OTHER WORDS, IF THE NEW NATIONAL GOVERNMENT WAS TO BE PROVIDED WITH THE POWER HE FELT IT NEEDED TO GOVERN EFFECTIVELY, IT HAD SIMILARLY TO ALLOW FOR BROAD POPULAR PARTICIPATION IF IT WAS TO GOVERN RESPONSIBLY. "NO GOVERNMENT," HE FURTHER INSISTED, "COULD LONG SUBSIST WITHOUT THE CONFIDENCE OF THE PEOPLE." YOU COULD SEE MANY OF THE OTHER DELEGATES WINCE AS WILSON UNHESITATINGLY REFERRED TO HIS PROPOSED STRUCTURE OF GOVERNMENT AS A "DEMOCRACY."

SUCH VIEWS AS HIS, GEORGE MASON'S, AND BEN FRANKLIN'S WERE REGARDED AS TOO "RADICAL" BY THE VAST MAJORITY OF THEIR COLLEAGUES AND WOULD NOT PREVAIL IN THE NEW CONSTITUTION THAT WAS ABOUT TO EMERGE FROM THE PHILADELPHIA CONVENTION.

#33: MEN OF PROPERTY DEFINING THE ROLE OF PROPERTY

VIRTUALLY ALL THE DELEGATES AT THE CONSTITUTIONAL CONVENTION WERE MEN OF CONSIDERABLE WEALTH. NO ONE AMONG THEM DOUBTED THE IMPORTANCE OF PROPERTY OR PERCEIVED AN INHERENT INCONSISTENCY, AS SOME DO TODAY, BETWEEN HUMAN RIGHTS AND PROPERTY RIGHTS. INDEED, THEIR READING OF THE GREAT PHILOSOPHERS TAUGHT THEM THAT CONCERNS FOR FREEDOM COULD NOT BE SEPARATED FROM CONCERNS FOR PROPERTY. AND THEIR RECENT HARSH EXPERIENCE WITH BRITISH TRADE AND TAX POLICIES HAD MADE IT CLEAR THAT INADEQUATELY SECURED PROPERTY RIGHTS COULD RENDER VULNERABLE EVEN THE FUNDAMENTAL LIBERTIES OF SPEECH, PRESS, AND MEANINGFUL POLITICAL PARTICIPATION. IT APPEARED TO MOST OF THE FRAMERS THAT EITHER TOO MUCH OR TOO LITTLE ATTENTION TO MATERIAL CONCERNS COULD CORRUPT THE CIVIL ORDER. THE QUESTION, THEREFORE, WAS TO WHAT EXTENT SHOULD GOVERNMENT BE PROTECTIVE OF AND RESPONSIVE TO ECONOMIC INTERESTS?

GOUVERNEUR MORRIS DECLARED THAT IT WAS THE CHIEF TASK OF GOVERNMENT TO PROTECT PROPERTY, THAT, INDEED, "PROPERTY IS THE MAIN OBJECT OF SOCIETY AND OF GOVERNMENT." HIS COLLEAGUE JOHN RUTLEDGE AGREED. MOST OF THE FRAMERS WERE NOT OFFENDED WHEN THEY HEARD OF JOHN JAY'S BOLD PROCLAMATION THAT "THE PEOPLE WHO OWN THE COUNTRY OUGHT TO GOVERN IT." HOWEVER, A FEW OF THE DELEGATES FELT THESE STATEMENTS REQUIRED MODIFICATION. JAMES WILSON SAID THAT HE "COULD NOT AGREE THAT PROPERTY IS THE SOLE OR PRIMARY OBJECT OF GOVERNMENT AND SOCIETY. THE CULTIVATION OF THE HUMAN MIND," HE INSISTED, "IS THE MOST NOBLE OBJECT." GEORGE MASON EVEN WENT SO FAR AS TO SUGGEST THAT GOVERNMENT SHOULD HAVE A ROLE IN PROTECTING ITS CITIZENS FROM MATERIAL EXTRAVAGANCE. SEVERAL OF HIS COLLEAGUES JOINED HIM IN INVEIGHING AGAINST THE TREND AMONG THEIR COUNTRYMEN TOWARD MORE AND MORE MATERIAL CONSUMPTION. AFTER ALL, THEY NOTED, IT WAS LUXURY AND HIGH LIVING THAT HAD SAPPED THE MORAL FIBER OF THE ANCIENT ROMANS AND BROUGHT THAT GREAT CIVILIZATION TO RUIN. MASON URGED THAT THE NEW CONGRESS BE GIVEN THE POWER TO PASS LAWS THAT WOULD LIMIT THE IMPORTING AND PURCHASING OF LUXURY GOODS. BUT MOST OF HIS COLLEAGUES WERE MORE CONCERNED ABOUT THE EXCESSIVE REGULATION OF MATERIAL GAIN THAN ABOUT ITS EXCESSIVE PURSUIT, AND THEREFORE DRAFTED A CONSTITUTION DESIGNED MORE TO ENCOURAGE ECONOMIC ENDEAVORS THAN TO LIMIT OR CONTROL THEM.

#34: CREATING A NON-DEMOCRATIC REPUBLIC: CHECKING THE POPULAR VOTE

THE FRAMERS OF THE UNITED STATES CONSTITUTION, IN PROVIDING FOR A POPULARLY ELECTED HOUSE OF REPRESENTATIVES, WERE CONFIDENT THAT THIS WAS A MINOR CONCESSION TO POPULAR RULE. AFTER ALL, IT WAS THE ONLY AGENCY OF THE NEW GOVERNMENT THAT WOULD BE ELECTED BY THE PEOPLE. STABILITY AND RATIONALITY IN GOVERNMENT, THEY FELT, WOULD BE PROVIDED BY A SENATE WHOSE MEMBERS WOULD BE APPOINTED BY THE STATE LEGISLATURES, THEREFORE ONE STAGE REMOVED FROM THE POPULAR VOTE, AN APPOINTED PRESIDENT TWICE REMOVED FROM POPULAR CHOICE, AND A JUDICIARY APPOINTED BY THE PRESIDENT, THEREFORE THREE TIMES REMOVED FROM THE VOICE OF THE PEOPLE.

PROVIDING STILL FURTHER PROTECTION AGAINST POPULARLY INCITED GOVERNMENT WOULD BE AN ELABORATE SYSTEM WHEREBY EACH BRANCH OF THE GOVERNMENT, FUNCTIONING INDEPENDENTLY OF THE OTHERS, COULD SERVE AS A CHECK AGAINST IMPULSIVE OR INTEMPERATE ACTIONS INITIATED BY THE OTHERS. AND FOR WHATEVER FURTHER ASSURANCE WAS NEEDED AGAINST THE RAVAGES OF THE DEMOCRATIC "BEAST," THE FRAMERS ARRANGED FOR STAGGERED CONGRESSIONAL ELECTIONS, WHICH WERE DESIGNED TO ALLOW MOMENTARY PASSIONS AMONG THE PEOPLE TO WANE BEFORE THEY COULD CREATE LEGISLATIVE MAJORITIES. AND THERE WAS THE ADDITIONAL SAFEGUARD OF AN EXECUTIVE VETO. SIXTEEN YEARS AFTER THE CONSTITUTIONAL CONVENTION THE SUPREME COURT WOULD DECIDE THAT IT HAD ALSO BEEN THE FRAMERS' INTENTION TO GIVE THE APPOINTED COURTS THE POWER TO VETO LEGISLATIVE ACTION. EVEN THE SHEER SIZE OF THE COUNTRY, JAMES MADISON ARGUED, BY SPREADING PEOPLE OUT AND FRAGMENTING THEIR INTERESTS, WOULD EFFECTIVELY DISCOURAGE MAJORITIES FROM FORMING AND ORGANIZING.

THE DOCUMENT THAT CAME OUT OF THE CONSTITUTIONAL CONVENTION IN 1787 AND THAT WAS SUBSEQUENTLY RATIFIED IN 1788 PROVIDED FOR A GOVERNMENT THAT WAS, FOR THE MOST PART, NON-DEMOCRATIC. BUT WITHIN A FEW DECADES EVOLVING POLITICAL PRACTICES AND LATER AMENDMENTS TO THE CONSTITUTION WOULD MOVE THE AMERICAN GOVERNMENT FAR CLOSER TOWARD DEMOCRACY THAN THE VAST MAJORITY OF THE FRAMERS HAD INTENDED.

#35: A REPUBLIC BUILT UPON THE COMMERCIAL SPIRIT

IT WAS A BASIC TENET OF THE AMERICAN FOUNDING FATHERS THAT "MEN WILL PURSUE THEIR INTERESTS," THAT DESIRE FOR FINANCIAL GAIN AND THE TENDENCY TOWARD MATERIAL SELF-INDULGENCE ARE "GIVENS" OF THE HUMAN CONDITION. THEREFORE, RATHER THAN ENGAGING IN WHAT THEY PERCEIVED AS A FUTILE ATTEMPT TO CHANGE HUMAN NATURE, IT APPEARED TO THESE NATION BUILDERS MORE REASONABLE TO CREATE THE KIND OF POLITICAL STRUCTURE THAT WOULD CHANNEL THESE FUNDAMENTAL PASSIONS TO GOOD ENDS.

SOME SUBSEQUENT OBSERVERS HAVE SUGGESTED THAT BASING A POLITICAL AND ECONOMIC SYSTEM ALMOST EXCLUSIVELY ON MAN'S ACKNOWLEDGED PROPENSITY FOR MATERIAL ACQUISITION HAS SERVED TO DEVELOP THAT VERY PROPENSITY INTO A DOMINANT CHARACTER TRAIT. ALEXIS DE TOCQUEVILLE, TRAVELING IN AMERICA LESS THAN HALF A CENTURY AFTER THE ADOPTION OF THE NEW CONSTITUTION, OBSERVED THAT THE RESULTING CONSUMING AND COMMERCIAL COMPULSION ASSURES THAT "NO AMERICAN IS FULLY CONTENTED WITH HIS PRESENT FORTUNE: ALL ARE PERPETUALLY STRIVING [FOR MORE POWER OR MATERIAL GAIN.]" HE ASKED, "IN THE MIDST OF THIS UNIVERSAL TUMULT, . . . THIS INCESSANT [ENDEAVOR] OF MEN . . . TO PROCURE PETTY AND PALTRY PLEASURES WITH WHICH THEY GLUT THEIR LIVES, . . . WHERE IS THAT CALM TO BE FOUND WHICH IS NECESSARY FOR [<u>DEEP</u> THOUGHT AND MEDITATION]? HOW CAN THE MIND DWELL UPON ANY SINGLE POINT WHEN EVERYTHING WHIRLS ABOUT IT, AND MAN HIMSELF IS SWEPT . . . BY THE HEADY [COMMERCIAL] CURRENT THAT ROLLS ALL THINGS IN ITS COURSE?"

EVENTUALLY, TOCQUEVILLE WARNED, THE CONSTANT COMMERCIAL ENDEAVOR "ENERVATES . . . AND STUPEFIES A PEOPLE UNTIL [THEY ARE] REDUCED TO NOTHING BETTER THAN A FLOCK OF TIMID AND INDUSTRIOUS ANIMALS, OF WHICH THE GOVERNMENT IS THE SHEPHERD." ONLY HISTORY CAN EVALUATE THE ACCURACY OF THIS FRENCHMAN'S JUDGMENT OF THE AMERICAN FOUNDING FATHERS.

#36: A GOVERNMENT DESIGNED AFTER A CLOCK

A GOVERNMENT DESIGNED AFTER A CLOCK? THAT, AS PREPOSTEROUS AS IT MAY SEEM, WAS ESSENTIALLY THE IDEA DOMINATING THE CONSTITUTIONAL CONVENTION OF 1787.

THE CHIEF FASCINATION OF THE TIME WAS WITH THE EMERGING INSIGHTS OF A NEW SCIENCE WHICH PORTRAYED NATURE AS OPERATING ACCORDING TO PRECISE AND DISCOVERABLE LAWS. ONLY MAN TENDED TO BE UNPREDICTABLE, WILLFUL, AND PERVERSE AT TIMES. BUT EVEN THE DISRUPTION CAUSED BY HUMAN CONTRARINESS, THE FOUNDING FATHERS SUGGESTED, COULD BE CONTAINED IF ONLY GOVERNMENT WERE DESIGNED ACCORDING TO THE SCIENTIFIC PRINCIPLES OF A MACHINE. WITH THE RIGHT INSTITUTIONS TO KEEP THE CONSEQUENCES OF HUMAN NARROWNESS AND GREED IN CHECK, A GOOD SOCIETY NEED NO LONGER DEPEND UPON THE UNCERTAIN PRESENCE OF GOOD MOTIVES AND PUBLIC SPIRITEDNESS.

AFTER ALL, THIS WAS THE APPROACH ALREADY TAKEN IN BOTH OUR ECONOMIC AND OUR JUDICIAL SYSTEMS WHEN IT WAS ASSUMED THAT IF EACH INDIVIDUAL AND GROUP PURSUED ONLY ITS OWN SELF-INTEREST, EACH WOULD AUTOMATICALLY LIMIT THE EXCESSES OF THE OTHERS AND THE NET RESULT WOULD BE PROSPERITY, OR JUSTICE, FOR THE WHOLE SOCIETY. SO NOW WHAT WAS BEING RECOMMENDED WAS A POLITICAL STRUCTURE THAT WAS DIVIDED INTO DIFFERENT LEVELS AND SEPARATE BRANCHES, SO THAT IN THE CHECKS AND BALANCES OF EACH OF THESE CONTENDING FOR ITS OWN INTERESTS AGAINST THE OTHERS, FREEDOM AND ORDER WOULD EMERGE. A BAD PRESIDENT WOULD SIMPLY BE IMPEACHED BY CONGRESS. AN UNJUST ACT OF CONGRESS WOULD BE VETOED BY THE SUPREME COURT.

THE NEW PLAN OF GOVERNMENT WAS SPECIFICALLY COMPARED TO THE MECHANISM OF A CLOCK. IF ALL THE GEARS AND SPRINGS WERE PROPERLY DESIGNED AND ASSEMBLED, ONCE SET IN MOTION, THE DEVICE WOULD CONTINUE ON ITS OWN WITH ONLY A MINIMUM OF HUMAN INTERVENTION. CLEVERLY DESIGNED POLITICAL INSTITUTIONS AND LAWS, IT WAS THOUGHT, COULD LARGELY SUPPLANT THE NEED FOR PERSONAL VIRTUE AND MORALITY.

THIS WAS THE CENTRAL CONCEPT EMBODIED IN OUR CONSTITUTION. IT WAS AN IMAGINATIVE AND BOLD IDEA, WHOSE RESULTS ARE NOW BEGINNING TO BE EVALUATED SOME TWO HUNDRED YEARS LATER.

#37: A REPUBLIC BASED ON "3/5ths PEOPLE": THE UNRESOLVED PROBLEM OF SLAVERY

AT THE TIME OF THE CONSTITUTIONAL CONVENTION THERE WERE WELL OVER HALF A MILLION SLAVES IN AMERICA, NEARLY TWENTY PERCENT OF THE COUNTRY'S POPULATION. THE ECONOMY OF THE SOUTHERN STATES HAD COME TO DEPEND HEAVILY UPON SLAVE LABOR, AND IT WAS IN THE SOUTH THAT ALMOST ALL THE SLAVES LIVED. IN SOUTH CAROLINA THEY COMPRISED NEARLY FIFTY PERCENT OF THE POPULACE.

FIFTEEN OF THE DELEGATES AT THE PHILADELPHIA CONVENTION WERE, THEMSELVES, SLAVE OWNERS -- AND NOT ALL OF THEM FROM THE SOUTH. IT WAS CLEAR THAT, IF PRESSED ON THE ISSUE OF SLAVERY, AT LEAST THREE, AND PERHAPS ALL FIVE, OF THE SOUTHERN STATES WOULD LEAVE THE MEETING AND ABSTAIN FROM THE NEW UNION THAT WAS BEING FORMED. TO AVOID JEOPARDIZING THEIR EFFORTS, THE FRAMERS NEVER DID DIRECTLY ADDRESS THE SUBJECT.

HOWEVER, THEY COULD NOT AVOID DEALING WITH A NUMBER OF RELATED ISSUES, ONE OF WHICH WAS THE QUESTION OF HOW SLAVES WOULD BE COUNTED IN DETERMINING THE NUMBER OF SEATS TO WHICH EACH STATE WAS ENTITLED IN THE HOUSE OF REPRESENTATIVES. THE SOUTHERN DELEGATES GENERALLY URGED THAT SLAVES BE FULLY COUNTED. THE NORTHERNERS OBJECTED THAT THIS WOULD GIVE DISPROPORTIONATE LEGISLATIVE WEIGHT TO THE SOUTHERN STATES AND, FURTHER, ENCOURAGE THE EXTENSION OF SLAVERY. A COMPROMISE FORMULA WAS OFFERED THAT WOULD COUNT ONLY THREE-FIFTHS OF THE SLAVE POPULATION. BUT IT WAS NOT UNTIL GOUVERNEUR MORRIS INGENIOUSLY PROPOSED THAT EACH STATE'S FEDERAL TAX OBLIGATION BE MADE PROPORTIONATE TO ITS REPRESENTATION IN CONGRESS, THAT THE SOUTHERN DELEGATES REALIZED THEIR INTERESTS WOULD BE BEST SERVED BY ACCEPTING THE "THREE-FIFTHS COMPROMISE."

THUS THE PROBLEM OF REPRESENTATION WAS SOLVED, BUT ONLY AT THE COST OF CREATING THE SPECTACLE OF A SUPPOSEDLY FREE NATION IN WHICH A MAJOR SEGMENT OF ITS POPULATION WOULD BE COUNTED AS ONLY "THREE-FIFTHS PERSONS" -- AND STILL, IN FACT, NOT BE POLITICALLY REPRESENTED. THE IGNOMINY OF THIS "SOLUTION," OF COURSE, COULD NOT BE RESOLVED UNTIL THE MORE FUNDAMENTAL PROBLEM OF SLAVERY ITSELF WAS RESOLVED. IT WOULD FINALLY TAKE THE BLOODIEST WAR IN ALL OF AMERICAN HISTORY, THREE-QUARTERS OF A CENTURY LATER, TO ADDRESS THIS PROBLEM.

#38: GOUVERNEUR MORRIS: CHIEF DRAFTSMAN OF THE CONSTITUTION

EVEN THE SENTRY STANDING OUTSIDE THE CLOSED DOOR OF THE ROOM IN WHICH THE FOUNDING FATHERS DEBATED CONSTITUTIONAL PRINCIPLES DURING THE SUMMER OF 1787 COULD HEAR, FROM TIME TO TIME, A RHYTHMIC THUMPING FROM INSIDE -- SOMETIMES FOR RATHER LONG STRETCHES OF TIME. HE KNEW THEN THAT GOUVERNEUR MORRIS WAS PACING THE FLOOR ON HIS PEG LEG, DELIVERING ONE OF HIS MANY ORATIONS. THROUGHOUT THE FOUR MONTHS OF THE CONSTITUTIONAL CONVENTION, THE LOQUACIOUS PENNSYLVANIAN SPOKE MORE THAN ANYONE ELSE, GIVING SOME ONE HUNDRED AND SEVENTY-THREE SPEECHES.

THIRTY-FIVE YEARS OLD AT THE TIME OF THE PHILADELPHIA MEETING, MORRIS HAD ALREADY ESTABLISHED HIS REPUTATION AS A HIGHLY LEARNED AND CULTURED MAN OF THE WORLD. HE WAS ALSO A DASHING FIGURE: THE "TALL BOY," THEY HAD CALLED HIM IN THE CONTINENTAL CONGRESS. DESPITE A CRIPPLED ARM AND HIS WOODEN LEG, HE WAS REPUTED TO BE SOMETHING OF A LADIES' MAN. NEW ENGLANDERS LIKE JOHN ADAMS WERE SUSPICIOUS OF THIS "MAN OF PLEASURE." A PERSON OF ARISTOCRATIC BEARING AND CHARM, HE HAD A MASTERFUL COMMAND OF LANGUAGE.

NOW, WITH HIS CHARACTERISTICALLY QUICK AND SOMETIMES BITING WIT, GOUVERNEUR MORRIS SPOKE ELOQUENTLY AND INCISIVELY ON THE PRINCIPLES AND PARADOXES OF STATECRAFT. WILLIAM PIERCE, DELEGATE FROM GEORGIA, OBSERVED THAT AS MORRIS SPOKE, "HE CHARMS, CAPTIVATES, AND LEADS AWAY THE SENSES OF ALL WHO HEAR HIM." HIS CONTRIBUTIONS TO THE DELIBERATIONS THAT SUMMER WERE BRILLIANT AND SUPERBLY TIMED.

STILL IT WAS NOT UNTIL NEAR THE END OF THE CONVENTION THAT MORRIS MADE HIS CHIEF CONTRIBUTION. ON THE EIGHTH OF SEPTEMBER A FIVE-MAN COMMITTEE WAS APPOINTED TO PROVIDE A FINAL DRAFT OF THE CONSTITUTION. THANKS PRIMARILY TO THE LABOR AND THE POLISHED WRITING SKILLS OF THE SOPHISTICATED MORRIS, FOUR DAYS LATER THE FINISHED PRODUCT WAS PRESENTED TO THE OTHER DELEGATES. THE EXTRA-ORDINARY ELOQUENCE, STYLE, CLARITY, AND ECONOMY OF LANGUAGE REPRESENTED IN THE FIRST SEVEN ARTICLES OF OUR FUNDAMENTAL LAW HAVE WON HIM A PLACE OF HONOR AMONG THE FOUNDING FATHERS: GOUVERNEUR MORRIS HAS BEEN PROPERLY DESIGNATED THE "CHIEF DRAFTSMAN" OF THE UNITED STATES CONSTITUTION.

#39: WHAT -- NO BILL OF RIGHTS?

PEOPLE ARE OFTEN SURPRISED TO LEARN THAT THE UNITED STATES CONSTITUTION, WRITTEN IN 1787 AND PUT INTO EFFECT A YEAR LATER, DID NOT CONTAIN A BILL OF RIGHTS. IN FACT, THE QUESTION OF WHETHER THE DOCUMENT SHOULD CONTAIN A STATEMENT OF FUNDAMENTAL RIGHTS DID NOT EVEN ARISE UNTIL JUST BEFORE THE CONSTITUTIONAL CONVENTION ADJOURNED. THE GENERAL ASSUMPTION AMONG THE DELEGATES SEEMED TO BE THAT THEY HAD DEFINED THE NEW GOVERNMENT'S POWERS CLEARLY ENOUGH THAT THE LIMITS OF THOSE POWERS WERE IMPLIED. BESIDES, AFTER MORE THAN FIFTEEN EXHAUSTING WEEKS OF DELIBERATIONS, THE DELEGATES WERE ANXIOUS TO BRING THE DOCUMENT TO A VOTE AND TO RETURN HOME.

HOWEVER, THROUGHOUT THE SUCCEEDING MONTHS AS THE PROPOSED CONSTITUTION WAS DEBATED IN THE VARIOUS STATE RATIFYING CONVENTIONS, THE FRAMERS WERE SURPRISED TO DISCOVER THAT THE ISSUE THEY HAD SO CASUALLY PASSED OVER IN PHILADELPHIA HAD NOT BEEN LAID TO REST. IT DID NO GOOD FOR THE FRAMERS TO EXPLAIN THAT ALREADY SCATTERED THROUGHOUT THE CONSTITUTION WERE SEVERAL IMPORTANT PROTECTIONS OF INDIVIDUAL RIGHTS. OTHERS ARGUED THAT INDIVIDUAL FREEDOMS WERE ULTIMATELY GROUNDED NOT ON A FORMAL LISTING OF RIGHTS BUT ON INGRAINED MORAL VALUES.

BUT ALL OF THE ARGUMENTS AGAINST THE NEED FOR A BILL OF RIGHTS WERE OF NO AVAIL. THE PEOPLE WANTED MORE THAN AN ABSTRACT SYSTEM OF CHECKS AND BALANCES TO PROTECT THEM AGAINST THE ENORMOUS POWERS BEING ASSIGNED TO THEIR NEW GOVERNMENT. IN ONE STATE AFTER ANOTHER, THEY GAVE THEIR APPROVAL OF THE CONSTITUTION, BUT ONLY AFTER THEY HAD RECEIVED ASSURANCE FROM ITS DEFENDERS, MANY OF WHOM THEY KNEW WOULD BE PART OF THE NEW GOVERNMENT, THAT THE VERY FIRST CONGRESS WOULD PROPOSE A BILL OF RIGHTS.

THUS THE CONSTITUTION CAME TO HAVE ATTACHED TO IT, IN THE FORM OF ITS FIRST TEN AMENDMENTS, A BILL OF RIGHTS. ALTHOUGH OVERLOOKED BY THE FRAMERS TWO HUNDRED YEARS AGO, TODAY THIS STATEMENT OF OUR MOST FUNDAMENTAL RIGHTS -- INCLUDING OUR FREEDOMS OF SPEECH, PRESS, AND RELIGION -- IS REGARDED BY MANY AS THE MOST IMPORTANT PART OF THE AMERICAN CONSTITUTION.

#40: AN UNCONSTITUTIONAL CONSTITUTION

COULD IT BE THAT OUR UNITED STATES CONSTITUTION IS ITSELF UNCONSTITUTIONAL? WHEN CONGRESS, IN FEBRUARY OF 1787, ISSUED ITS CALL FOR A CONVENTION TO MEET IN PHILADELPHIA THE FOLLOWING MAY, ITS INSTRUCTIONS REGARDING THE PURPOSE OF THAT GATHERING WERE CLEAR: IT WAS TO MEET "FOR THE SOLE AND EXPRESS PURPOSE OF REVISING [THE CURRENT CONSTITUTION,] THE ARTICLES OF CONFEDERATION."

YET THE RECORD SHOWS THAT THE DELEGATES AT THE PHILADELPHIA CONVENTION BLATANTLY DISREGARDED THOSE INSTRUCTIONS. RATHER THAN LIMITING THEMSELVES TO REVISING THE ARTICLES, THEY PROCEEDED IMMEDIATELY TO STASH THAT DOCUMENT AND TO START AFRESH IN CREATING A NEW ONE. INDEED, THE CONSTITUTION THAT WAS STILL LEGALLY THE SUPREME LAW OF THE LAND CLEARLY STATED THAT ANY PROPOSAL FOR CONSTITUTIONAL CHANGE REQUIRED A CONSENTING VOTE OF CONGRESS. BUT THE DELEGATES, ANTICIPATING PROBLEMS IN SECURING APPROVAL OF THEIR NEW PROPOSAL, DID NOT EVEN ASK FOR CONGRESSIONAL CONSENT.

WHEN THE DOCUMENT WAS PASSED ON TO THE STATES, IT WAS NOT TAKEN TO THE STATE LEGISLATURES AS REQUIRED BY THE ARTICLES. THE FRAMERS HAD DECIDED -- AGAIN, CONTRARY TO THE ARTICLES -- TO BRING THE QUESTION OF FINAL APPROVAL TO POPULARLY ELECTED STATE CONVENTIONS. HERE, AND FOR A THIRD TIME IN VIOLATION OF THE CONSTITUTION TO WHICH THEY WERE STILL BOUND, THE DELEGATES ACCEPTED AS SUFFICIENT FOR RATIFICATION APPROVAL BY ONLY NINE OF THE THIRTEEN STATES.

THE RECORD CLEARLY INDICATES THAT UNDER THE PROVISIONS OF THE CONSTITUTION THEN IN EFFECT, OUR PRESENT CONSTITUTION WAS UNCONSTITUTIONALLY ENACTED. DOES THIS MEAN THAT OUR PRESENT DOCUMENT, AFTER 200 YEARS, COULD BE STRUCK DOWN BY THE SUPREME COURT? HARDLY. FOR THAT COURT ITSELF EXISTS ONLY BY THE AUTHORITY OF THE PRESENT CONSTITUTION, AND ITS JUDGES HAVE ALL SWORN TO "UPHOLD AND DEFEND" THAT DOCUMENT. NOR DOES IT MEAN THAT OUR FOUNDING FATHERS ACTED UNWISELY. AS FIRMLY COMMITTED AS THEY WERE TO THE CONCEPT OF RULE BY LAW, THEY WERE ALSO FULLY AWARE THAT LAW ITSELF NEEDS TO BE JUDGED IN TERMS OF THE REQUIREMENTS OF FREEDOM AND JUSTICE. HAD IT NOT BEEN FOR THEIR COURAGEOUS, EVEN UNLAWFUL, "AUDACITY," OUR NATION MIGHT WELL HAVE FLOUNDERED AT ITS VERY BEGINNING.

#41: THE LAST DAY OF THE CONVENTION

IT IS THE MORNING OF MONDAY, SEPTEMBER 17th, 1787, THE FINAL DAY OF THE CONSTITUTIONAL CONVENTION. IN STRIKING CONTRAST TO WHAT THE DELEGATES HAVE ENDURED THROUGHOUT MOST OF THE SUMMER, THE AIR IS COOL. THE TOUCH OF AUTUMN REMINDS THEM OF THE TIME THAT HAS ELAPSED SINCE MOST OF THEM LAST SAW THEIR FAMILIES THE PREVIOUS MAY. FORTY-ONE OF THE FIFTY-FIVE DELEGATES HAVE STAYED TO THE VERY END AND HAVE ASSEMBLED IN THEIR SEATS. ALTHOUGH ITS WORDS ARE ALREADY THOROUGHLY FAMILIAR TO THEM, THE ENTIRE FINAL DRAFT OF THE PROPOSED NEW CONSTITUTION, ON WHICH THEY HAVE SO LONG AND SO DILIGENTLY LABORED, IS READ ALOUD. THEN JAMES WILSON READS FOR THE FRAIL DOCTOR BENJAMIN FRANKLIN PERHAPS THE MOST ELOQUENT SPEECH OF HIS LONG LIFE, IN WHICH THE PATRIARCH URGES THAT EACH OF HIS COLLEAGUES, WHATEVER THEIR DIFFERENCES THROUGHOUT THE SUMMER HAVE BEEN, NOW UNITE IN SIGNING THE DOCUMENT.

THERE FOLLOW NUMEROUS OTHER PLEAS FOR UNITY. THE CLOCK OUTSIDE ON THE STATE HOUSE WALL STRIKES THREE BEFORE ALL THE SPEECHES ARE CONCLUDED. THEN THE DELEGATES BEGIN TO FILE, ONE AFTER ANOTHER, TO THE TABLE AT THE FRONT OF THE ROOM WHERE THEY AFFIX THEIR SIGNATURES TO THE STILL CONTROVERSIAL DOCUMENT. THIRTY-EIGHT OF THE FORTY-ONE DELEGATES SIGN, AND ONE SIGNS FOR STILL ANOTHER WHO IS ABSENT BECAUSE OF ILLNESS. THIS IS NO SMALL ACCOMPLISHMENT. ALL WOULD HAVE PREFERRED A CONSTITUTION DIFFERENT IN SOME PARTICULARS, BUT THE VAST MAJORITY ARE CONVINCED THAT THE PRESENT PROPOSAL IS THE BEST THEY COULD EVER AGREE UPON AND INFINITELY SUPERIOR TO THE APPARENT ALTERNATIVE -- ANARCHY.

ON THE CROWN SURMOUNTING THE HIGH BACK OF GENERAL WASHINGTON'S CHAIR IS A CARVED AND GILDED SUN. WHILE THE LAST OF THE DELEGATES SIGNS THE CONSTITUTION, BEN FRANKLIN IS HEARD COMMENTING TO THOSE AROUND HIM THAT, AS HE HAD PONDERED THE OUTCOME DURING THE CHANGING MOODS OF THE CONVENTION, HE HAD WONDERED WHETHER THE SUN ON THE BACK OF THE CHAIR WAS RISING OR SETTING. "BUT NOW AT LENGTH," DECLARES FRANKLIN, "I HAVE THE HAPPINESS TO KNOW THAT IT IS A RISING AND NOT A SETTING SUN."

#42: THOSE WHO REFUSED TO SIGN

ONLY THREE OF THE FORTY-ONE DELEGATES PRESENT IN THE PENNSYLVANIA STATE HOUSE ON THE LAST DAY OF THE CONSTITUTIONAL CONVENTION REFUSED TO SIGN THE DOCUMENT THAT WAS THE PRODUCT OF THEIR SUMMER'S LABOR. ELBRIDGE GERRY, FROM THE STATE OF MASSACHUSETTS, GAVE AS HIS REASONS FOR NOT ENDORSING THE CONSTITUTION HIS ALARM AT THE ENORMOUS POWERS IT ASSIGNED TO THE NEW GOVERNMENT AND HIS FEAR THAT THE UNRULY DEMOCRATIC MASSES WOULD BE SO OPPOSED TO THE FRAMERS' PROPOSAL THAT THEY WOULD BREAK OUT IN CIVIL WAR. HE WOULD RETURN HOME TO FIGHT AGAINST ITS RATIFICATION.

EVEN THOUGH AT THE OUTSET OF THE CONVENTION VIRGINIA'S GOVERNOR RANDOLPH HAD INTRODUCED PROPOSALS SUPPORTING A STRONG CENTRAL GOVERNMENT, NOW HE TOO CLAIMED THAT THE NEW CONSTITUTION WOULD MAKE IT TOO STRONG. PROBABLY MORE SIGNIFICANT, HOWEVER, WAS HIS UNCERTAINTY, AS A YOUNG AND AMBITIOUS POLITICIAN, OVER HOW HIS ENDORSEMENT WOULD BE VIEWED BY HIS CONSTITUENTS AND HOW IT MIGHT AFFECT HIS POLITICAL FUTURE. LATER IN THE VIRGINIA RATIFYING CONVENTION, HE WOULD REVERSE HIMSELF AND ADVOCATE THE ADOPTION OF THE CONSTITUTION. HE, LIKE THE OTHER DELEGATES, KNEW THAT GENERAL WASHINGTON WOULD BE THE FIRST PRESIDENT IF THE CONSTITUTION WAS ADOPTED. AND WHEN IT WAS FINALLY APPARENT THAT IT WOULD BE ADOPTED, HE -- AGAIN, LIKE HIS COLLEAGUES -- WAS NOT UNAWARE OF THE POLITICAL RISK INVOLVED IN HOLDING OUT TOO LONG AGAINST SOMETHING SO STRONGLY FAVORED BY WASHINGTON. IF THIS WAS PART OF EDMUND RANDOLPH'S CALCULATION, IT PAID OFF. PRESIDENT WASHINGTON LATER MADE HIM HIS ATTORNEY GENERAL AND SUBSEQUENTLY HIS SECRETARY OF STATE.

THE ONLY THOROUGHLY PRINCIPLED MAN AMONG THE DISSENTERS WAS GEORGE MASON. ALTHOUGH HIS CONTRIBUTIONS TO THE PRESENT DOCUMENT WERE SUBSTANTIAL, HE TOO FELT THAT THE CONVENTION HAD GIVEN TOO MUCH POWER TO THE CENTRAL GOVERNMENT AND, FURTHER, HAD MADE IT INSUFFICIENTLY ACCOUNTABLE TO THE PEOPLE. AFTER WITHHOLDING HIS ENDORSEMENT OF THE PROPOSED CONSTITUTION ON THE FINAL DAY OF THE PHILADELPHIA MEETING, HE RETURNED TO VIRGINIA TO OPPOSE ITS RATIFICATION. REFUSING ANY PART IN THE NEW GOVERNMENT, THREE YEARS LATER HE WOULD TURN DOWN AN APPOINTMENT OFFERED HIM BY HIS GOVERNOR TO THE NEWLY CREATED UNITED STATES SENATE.

#43: GETTING THE PROPOSED CONSTITUTION TO THE STATES

IN THE EARLY MORNING OF TUESDAY, SEPTEMBER 18th, THE DAY AFTER THE PHILADELPHIA CONVENTION HAD ADJOURNED, THE CONVENTION'S SECRETARY, WILLIAM JACKSON, SETS OUT BY STAGECOACH FOR NEW YORK CITY. HE CARRIES TO CONGRESS THE PROPOSED CONSTITUTION. THE WEARY DELEGATES LEAVE FOR HOME BY STAGE, HORSEBACK, AND PACKET. SOME, FEARING THEIR SUPPORT OR OPPOSITION TO THE CONSTITUTION COULD JEOPARDIZE THEIR POLITICAL OR BUSINESS CAREERS, WITHIN A FEW DAYS PUBLISH DEFENDING STATEMENTS. MANY OF THEM ALMOST IMMEDIATELY BEGIN TO PREPARE FOR THE RATIFICATION DEBATES.

TEN OF THE FRAMERS WHO ARE ALSO MEMBERS OF THE CONGRESS FOLLOW MAJOR JACKSON TO NEW YORK WHERE, ONLY A FEW DAYS AFTER THE ADJOURNMENT OF THE PHILADELPHIA MEETING, THEY PERSUADE THEIR CONGRESSIONAL COLLEAGUES TO TRANSMIT THE PROPOSED CONSTITUTION, WITHOUT ENDORSEMENT, ON TO THE STATE LEGISLATURES SO THAT STATE CONVENTIONS CAN BE CONVENED TO PASS UPON THE DOCUMENT.

IN THE MEANWHILE, NEWSPAPERS THROUGHOUT THE COUNTRY HAVE DEVOTED ENTIRE ISSUES TO PRESENTING THE TEXT OF THE FRAMERS' PROPOSAL, SEVERAL OF THEM PUBLISHING SPECIAL EDITIONS TO INFORM, CONSOLE, OR -- IN SOME INSTANCES -- TO ALARM THEIR READERS. IMMEDIATELY, READERS WRITE IN THEIR OPINIONS. NEVER BEFORE HAS THE AMERICAN PRESS DEVOTED SO MANY COLUMNS TO A POLITICAL SUBJECT. IN EARLY DECEMBER, MADISON WRITES TO JEFFERSON IN PARIS THAT "THE CONSTITUTION ENGROSSES ALMOST THE WHOLE POLITICAL ATTENTION OF AMERICA."

APART FROM AMERICANS' CONCERNS FOR THE FUTURE COURSE OF THEIR NATION, THERE IS EVEN A MORE IMMEDIATE SENSE OF URGENCY. THE PENNSYLVANIA GAZETTE REPORTED THREE WEEKS PRIOR TO THE END OF THE PHILADELPHIA MEETING THAT "THE STATES NEGLECT THEIR ROADS AND CANALS: TRADING AND MANUFACTURING COMPANIES SUSPEND THEIR COMMERCE AND PRODUCTION," AND CREDITORS REFRAIN FROM MAKING LOANS UNTIL IT BECOMES CLEAR TO ALL OF THEM WHAT PROGRAMS AND PROTECTIONS WILL BE FORTHCOMING FROM THE NEW "NATIONAL SYSTEM." PERHAPS THIS PRO-CONSTITUTION NEWSPAPER EXAGGERATED THE FACTS SOMEWHAT, BUT -- FOR ONE REASON OR ANOTHER -- THERE IS A FELT NEED TO GET ON WITH THE RATIFICATION PROCESS.

#44: THE PENNSYLVANIA RATIFYING CONVENTION: INTRANSIGENCE AND VIOLENCE

THE DATE IS SEPTEMBER 29th, 1787. THE PLACE IS OUTSIDE MR. BOYD'S ROOMING HOUSE ON SIXTH STREET IN PHILADELPHIA. IT IS EARLY IN THE MORNING, AND AN ANGRY CROWD HAS GATHERED. IN SHORT TIME THEY BREAK DOWN THE FRONT DOOR, AND A FEW MOMENTS LATER TWO OF MR. BOYD'S TENANTS ARE DRAGGED OUT INTO THE STREET. THE TWO CAPTIVES ARE MEMBERS OF THE PENNSYLVANIA STATE LEGISLATURE.

ONLY ELEVEN DAYS EARLIER, FOUR OF THE DELEGATES FROM THE JUST-ADJOURNED CONSTITUTIONAL CONVENTION RETURNED TO THE STATE HOUSE WHERE THEY HAD LABORED ALL SUMMER, THIS TIME TO TAKE THEIR SEATS IN THE PENNSYLVANIA STATE ASSEMBLY. THEY READ THE PROPOSED CONSTITUTION TO THEIR LEGISLATIVE COLLEAGUES AND PROPOSED ELECTIONS FOR A STATE RATIFYING CONVENTION. HOWEVER, THE ASSEMBLY FOUND ITSELF TWO MEMBERS SHORT OF A QUORUM. NINETEEN OF THEIR COLLEAGUES, OPPOSED TO THE CONSTITUTION, HAD SLIPPED AWAY TO THEIR LODGING AT MR. BOYD'S HOUSE AND REFUSED TO RETURN. BY THE NEXT MORNING WORD HAD GOTTEN OUT IN STRONGLY PRO-CONSTITUTIONAL PHILADELPHIA ABOUT THESE INTRANSIGENT ASSEMBLYMEN, AND ANGRY RESIDENTS SAW TO IT THAT THEY WERE DELIVERED BODILY TO THE STATE HOUSE, WHERE THEY WERE FIRMLY PLANTED IN THEIR SEATS, A QUORUM THEREBY OBTAINED, AND THE MOTION TO CALL ELECTIONS FOR A RATIFYING CONVENTION OVERWHELMINGLY PASSED.

A FEW WEEKS LATER THE VOTERS SENT DELEGATES TO THE STATE CONVENTION. JAMES WILSON, THE ONLY MEMBER FROM THE NATIONAL CONVENTION, SURPASSED EVEN HIS IMPRESSIVE EFFORTS AT THAT EARLIER MEETING. DAY AFTER DAY FOR THREE WEEKS HE TIRELESSLY AND ELOQUENTLY MET EVERY ARGUMENT THAT WAS MADE AGAINST THE CONSTITUTION. THE VOTE ON DECEMBER 12th WAS FORTY-SIX TO TWENTY-THREE IN FAVOR OF RATIFICATION. THOSE WHO HAD VOTED AGAINST THE CONSTITUTION, ACCUSING THEIR OPPOSITION OF STEAMROLLING AND UNFAIR TACTICS, REMAINED OPPOSED AND BITTER. WILSON, BECAUSE HE HAD BEEN THE CHIEF SPOKESMAN FOR THE DOCUMENT, WAS PERCEIVED AS THE ENEMY. ON DECEMBER 27th, AT AN OUTDOOR RALLY CELEBRATING THE RATIFICATION, HE WAS KNOCKED DOWN AND BEATEN. IT WAS SAID THAT HE WOULD HAVE BEEN KILLED HAD NOT AN OLD SOLDIER THROWN HIMSELF OVER WILSON'S BODY AND ABSORBED THE BLOWS.

#45: THE MASSACHUSETTS CONVENTION: SPIRIT OF RECONCILIATION

IN CONTRAST TO THE BITTERNESS AND VIOLENCE SURROUNDING THE STATE CONVENTION THAT HAD MET AT THE END OF 1787 IN PENNSYLVANIA TO CONSIDER THE PROPOSAL FOR A NEW AMERICAN CONSTITUTION, THE SPIRIT THAT CAME OUT OF THE MASSACHUSETTS RATIFYING CONVENTION IN BOSTON A FEW WEEKS LATER WAS ONE OF RECONCILIATION.

YET, MOST OF THE DELEGATES ELECTED TO THE MASSACHUSETTS MEETING WERE INITIALLY AGAINST THE CONSTITUTION. THIRTY OF THEM HAD FOUGHT WITH DANIEL SHAYS, AND MANY OTHERS WERE ELECTED FROM THE WESTERN PARTS OF THE STATE STILL CAUGHT UP IN THE PASSIONS OF THAT REBELLION. BUT THREE OF THE DELEGATES, WHO HAD BEEN AT THE PHILADELPHIA CONVENTION AND HAD SIGNED THE PROPOSED DOCUMENT THERE, PROVED TO BE MOST SKILLED AND PATIENT IN PRESENTING THEIR CASE.

TO BE SURE, SOME WHO WERE NOT RESPONSIVE TO PRINCIPLED REASONING HAD TO BE APPEALED TO IN TERMS OF THEIR POLITICAL AMBITIONS -- MOST NOTABLY JOHN HANCOCK, THEN GOVERNOR OF THE STATE. GOVERNOR HANCOCK, WHO HAD BEEN A MAJOR SPOKESMAN AGAINST A STRONGER UNION, WAS ASSURED THAT, IN RETURN FOR HIS ENDORSEMENT OF THE CONSTITUTION, HE WOULD BE GIVEN SUPPORT FOR RE-ELECTION TO THE GOVERNORSHIP, FOR APPOINTMENT TO THE NEW VICE-PRESIDENCY, AND IN THE -- NOT AT ALL UNLIKELY -- EVENT THAT GEORGE WASHINGTON'S VIRGINIA FAILED TO RATIFY THE DOCUMENT, FOR THE PRESIDENCY ITSELF. FOR HANCOCK, WHO, IT WAS SAID, HAD NEVER RECOVERED FROM LOSING THE POSITION OF COMMANDER-IN-CHIEF OF THE CONTINENTAL ARMY TO WASHINGTON THIRTEEN YEARS EARLIER, THIS LATTER OFFER WAS TOO MUCH TO RESIST. HIS SUDDEN CONVERSION TO THE NATIONAL CAUSE WAS A MAJOR FORCE IN STEMMING THE ANTI-RATIFICATION TIDE.

ON FEBRUARY 6th, 1788, THE MASSACHUSETTS DELEGATES VOTED 187 TO 168 TO ACCEPT THE DOCUMENT. WHATEVER THE VARIED MOTIVES OF THOSE VOTING IN THE AFFIRMATIVE, IT WAS FINE TESTIMONY TO THE GENERAL TONE OF THE DELIBERATIONS THAT AT THE END OF THE MEETING SEVERAL OF THOSE WHO HAD BEEN DEFEATED IN THEIR EFFORTS AGAINST RATIFICATION PLEDGED THEIR SUPPORT TO THE NEW CONSTITUTION, SHOULD IT RECEIVE THE REQUIRED ENDORSEMENT OF OTHER STATES.

#46: VIRGINIA'S RATIFICATION DEBATES: QUIET REASON VERSUS FIERY ORATORY

IN THE 1780s VIRGINIA WAS THE MOST POPULOUS OF THE AMERICAN STATES. AS RATIFYING CONVENTIONS WERE BEING CALLED THROUGHOUT THE NATION, EVERYONE KNEW THAT EVEN IF ALL OF THE OTHER STATES VOTED THEIR APPROVAL OF THE NEW CONSTITUTION, BUT VIRGINIA DID NOT, THE ABSENCE OF THAT STATE WOULD BE FATAL TO A SUCCESSFUL UNION.

IT WAS IN RICHMOND, VIRGINIA, IN JUNE OF 1788, THAT THE MOST DRAMATIC AND MEMORABLE SCENES OF THE ENTIRE SERIES OF STATE CONVENTIONS OCCURRED. ON EACH SIDE OF THE VIRGINIA DEBATE WERE SOME OF THE NATION'S MOST DISTINGUISHED STATESMEN. THE GREAT PATRICK HENRY WAS THE LEADING SPOKESMAN FOR THE OPPOSITION, AND ALLIED WITH HIM WERE THE EMINENT RICHARD HENRY LEE AND GEORGE MASON. JAMES MADISON, LEADING THE PRO-CONSTITUTION FORCES, MET PATRICK HENRY'S FORMIDABLE AND FIERY ORATORY WITH HIS QUIET AND LUCID REASONING. SUPPORTING HIM FROM OUTSIDE THE CONVENTION WAS THE CONSIDERABLE INFLUENCE OF GENERAL WASHINGTON, WHO -- EVERYONE KNEW -- WOULD BE THE FIRST PRESIDENT UNDER THE NEW CONSTITUTION IF VIRGINIA RATIFIED.

ON THE FLOOR OF THE CONVENTION, CONSTRUCTIVE AND POWERFUL SUPPORT CAME FROM THE INTELLIGENT AND WINSOME THIRTY-THREE YEAR OLD JOHN MARSHALL, WIDELY RESPECTED FOR HIS SOLDIERLY RECORD IN THE REVOLUTION AND LATER TO BECOME A DISTINGUISHED CHIEF JUSTICE OF THE UNITED STATES SUPREME COURT. GOVERNOR EDMUND RANDOLPH, WHO HAD REFUSED TO SIGN THE PROPOSED CONSTITUTION AT THE CONCLUSION OF THE PHILADELPHIA CONVENTION AND WHO WAS STILL VACILLATING IN HIS COMMITMENT UP UNTIL THE EARLY DAYS OF THE STATE CONVENTION, SURPRISED EVERYONE WITH HIS BELATED DECISION TO PUSH FOR RATIFICATION.

JAMES MADISON GAVE IT ALL HE HAD. ON SEVERAL OCCASIONS AS HE ENDEAVORED TO COUNTER PATRICK HENRY'S FORCEFUL ORATORY, HIS ALWAYS WEAK VOICE FAILED HIM TO THE POINT OF INAUDIBILITY. ON ONE OCCASION HE HAD TO RETIRE TO HIS BED FOR THREE DAYS TO REGAIN HIS STRENGTH. BUT AFTER TWENTY-THREE DAYS OF LIVELY AND SOMETIMES HEATED DEBATE, ON JUNE 25th, 1788, THE VIRGINIA DELEGATES VOTED BY A NARROW MARGIN IN FAVOR OF THE CONSTITUTION. FOR THE FIRST TIME, AMERICANS WERE ASSURED THAT THEIR NEW CONSTITUTION HAD THE SUPPORT NECESSARY TO MAKE IT WORK.

#47: SOME FAMOUS LETTERS-TO-THE EDITOR

THE NEW YORK STATE LEGISLATURE SET JUNE 17th, 1788, AS THE DATE ON WHICH ITS DELEGATES WOULD MEET TO DECIDE WHETHER NEW YORK WOULD SUPPORT THE NEW UNITED STATES CONSTITUTION. AS CANDIDATES WERE CAMPAIGNING FOR ELECTION TO THAT CONVENTION, A SERIES OF 85 LENGTHY LETTERS-TO-THE-EDITOR WERE APPEARING IN NEWSPAPERS THROUGHOUT THE STATE. THEIR PURPOSE WAS TO EXPLAIN AND DEFEND FULLY EVERY ASPECT OF THE PROPOSED CONSTITUTION, THEREBY TO PERSUADE THE MORE THOUGHTFUL SEGMENT OF THE STATE'S POPULACE TO RATIFY THAT DOCUMENT. ALEXANDER HAMILTON, JAMES MADISON, AND JOHN JAY APPLIED THEMSELVES BRILLIANTLY TO THE TASK. ALL THREE WROTE ANONYMOUSLY UNDER THE PEN NAME "PUBLIUS."

ALTHOUGH TODAY NEWSPAPERS GENERALLY REFUSE TO ACCEPT MATERIAL FROM UNIDENTIFIED WRITERS, IN THE LATE EIGHTEENTH CENTURY ALMOST ALL BOOKS, PAMPHLETS, AND LETTERS-TO-THE-EDITOR ON CONTROVERSIAL OR POLITICAL ISSUES WERE EITHER UNSIGNED OR SIGNED WITH A PEN NAME. EVEN WITH THE RELATIVELY FREE PRESS THAT HAD RECENTLY EMERGED IN COUNTRIES LIKE ENGLAND AND THE UNITED STATES, ONE DID NOT YET FEEL SECURE IN HIS RIGHT TO CRITICIZE THE GOVERNMENT. ALSO, THERE WAS STILL ENOUGH CLASS CONSCIOUSNESS THAT A GENTLEMAN WOULD FEEL EMBARRASSED TO HAVE HIS SIGNED LETTER APPEAR NEXT TO THAT OF A "MERE SCRIBBLER."

JAY, BECAUSE OF ILLNESS, ENDED UP WRITING ONLY FIVE OF THE 85 ESSAYS. MADISON, WHO LABORED AS DILIGENTLY AND PROFOUNDLY IN THIS ENDEAVOR AS HE HAD MONTHS EARLIER AT PHILADELPHIA, CONTRIBUTED ABOUT A THIRD OF THEM. HOWEVER, THE LION'S SHARE OF THE WORK -- SOME 51 ESSAYS -- FELL TO ALEXANDER HAMILTON. HIS INSPIRED AND LENGTHY DEFENSE OF THE PROPOSED CONSTITUTION IS ALL THE MORE REMARKABLE WHEN WE CONSIDER THAT HAMILTON WAS STRONGLY OPPOSED TO SOME OF ITS FUNDAMENTAL PROVISIONS. SUFFICIENT FOR HIS PURPOSES, HOWEVER, WAS HIS CONVICTION THAT THE NEW CONSTITUTION WAS VASTLY SUPERIOR TO THE EXISTING ONE AND CRUCIAL FOR THE NATION'S PROSPERITY AND SURVIVAL.

TODAY THESE 85 LETTERS-TO-THE-EDITOR ARE KNOWN COLLECTIVELY AS <u>THE FEDERALIST PAPERS</u> -- AND THEY ARE REGARDED BY MANY AS AMERICA'S MOST LEARNED CONTRIBUTION TO THE WORLD'S POLITICAL LITERATURE.

#48: THE NEW YORK DEBATES: A CLOSE AND CRUCIAL VOTE

DELEGATES FROM THE STATE OF NEW YORK CONVENED TO DECIDE ON THE QUESTION OF A NEW FEDERAL CONSTITUTION IN JUNE OF 1787. MORE THAN TWO-THIRDS OF THEM HAD BEEN SENT BY THEIR CONSTITUENTS TO THAT MEETING TO OPPOSE THE PROPOSED DOCUMENT. THEY WERE LED IN THEIR EFFORT BY THE GOVERNOR, GEORGE CLINTON, AND BY THE STATE'S TWO DELEGATES TO THE PHILADELPHIA CONVENTION WHO HAD STEADFASTLY OPPOSED THE WORK OF THE FRAMERS A YEAR EARLIER. GOVERNOR CLINTON WAS PROMPTLY AND UNANIMOUSLY ELECTED CHAIRMAN OF HIS STATE'S CONVENTION. THE ENORMOUS TASK OF PERSUADING THE NEW YORK DELEGATES TO ENDORSE THE CONSTITUTION FELL LARGELY TO ALEXANDER HAMILTON. HIS EFFORTS WERE UNREMITTING IN SPITE OF THE FACT THAT HE HAD DEPARTED FROM THE ADJOURNED PHILADELPHIA MEETING WITH GRAVE RESERVATIONS ABOUT THE DOCUMENT.

OF CONSIDERABLE HELP TO HAMILTON WERE THE PRESTIGIOUS OUT-OF-STATE ENDORSEMENTS FROM BEN FRANKLIN AND GEORGE WASHINGTON. CERTAINLY HAMILTON'S SUGGESTION THAT THE CITY OF NEW YORK WOULD SECEDE FROM THE STATE TO JOIN THE UNION IF THE DELEGATES FAILED TO RATIFY ALSO HAD SOME IMPACT. AND ONCE NEWS OF VIRGINIA'S RATIFICATION HAD ARRIVED, A WEEK AFTER THE FACT, IT WAS CLEAR THAT THE NEW UNION WOULD PROCEED WITH OR WITHOUT NEW YORK'S APPROVAL AND THAT HER REFUSAL WOULD SEVERELY ISOLATE HER FROM THE MOST POWERFUL OF THE OTHER STATES -- NOT ONLY VIRGINIA BUT ALSO NEARBY PENNSYLVANIA AND MASSACHUSETTS.

FINALLY, ON JULY 26th, 1788, AFTER FORTY DAYS OF INTENSE DEBATE, BY THE CLOSE VOTE OF THIRTY TO TWENTY-SEVEN, THE NEW YORK CONVENTION GAVE ITS APPROVAL. IMMEDIATELY THERE WAS RIOTING BY ANTI-CONSTITUTION FORCES IN ALBANY AND A PUBLIC BURNING OF THE CONSTITUTION. BUT NINE MONTHS LATER WITH THE SEATING OF THE NEW CONGRESS, THE INAUGURATION OF A PRESIDENT WHO SEEMED TO BE REVERED BY ALL, AND A REVIVING ECONOMY, THE BITTER DISSENT THAT HAD FLARED SO FREQUENTLY THROUGHOUT THE RATIFYING PERIOD SEEMED TO HAVE DISSIPATED -- AS THE NEW CONSTITUTION AND THE NEW REPUBLIC CAME TO REPRESENT IN THE MINDS OF MOST AMERICANS THE BEGINNING OF A NEW AND PROMISING ERA.

#49: RELUCTANT RHODE ISLAND

THROUGHOUT THE SUMMER OF 1787 AND MOST OF THE SUCCEEDING THREE YEARS, THERE WERE FEW PEOPLE IN AMERICA SINGING PRAISES OF THE STATE OF RHODE ISLAND. IT, ALONE AMONG THE THIRTEEN STATES, HAD REFUSED TO SEND DELEGATES TO THE PHILADELPHIA CONSTITUTIONAL CONVENTION. WHEN THE FRAMERS HAD COMPLETED THEIR WORK IN PHILADELPHIA AND SENT THE PROPOSED CONSTITUTION TO THE STATE LEGISLATURES WITH THE REQUEST THAT THEY PROVIDE FOR THE ELECTION OF DELEGATES TO STATE RATIFYING CONVENTIONS, RHODE ISLAND ALONE, AGAIN, REFUSED TO ACT.

ONLY NINE MONTHS AFTER THE PHILADELPHIA MEETING THE REQUIRED MAJORITY OF NINE STATES HAD GIVEN THEIR APPROVAL OF THE CONSTITUTION. WHEN THE NEW GOVERNMENT WAS FORMED, RHODE ISLAND BECAME, IN EFFECT, A FOREIGN COUNTRY, ISOLATED FROM THE OTHER STATES. THROUGHOUT ALL OF AMERICAN HISTORY NO STATE HAS COME CLOSE TO RECEIVING AS MUCH BITTER CRITICISM AS DID RHODE ISLAND. A BOSTON NEWSPAPER CALLED HER "ROGUE ISLAND" AND RECOMMENDED SHE BE DIVIDED UP AMONG THE SURROUNDING STATES. THE NEWLY CREATED FEDERAL GOVERNMENT PUNISHED HER WITH HEAVY IMPORT DUTIES, AND THE UNITED STATES SENATE APPROVED A RESOLUTION AUTHORIZING THE PRESIDENT TO SUSPEND ALL COMMERCE WITH HER.

IN THE MIDST OF THE RESULTING ECONOMIC CHAOS, THE TOWNS AND CITIES OF RHODE ISLAND, LED BY PROVIDENCE, THREATENED TO SECEDE FROM THE STATE AND JOIN THE UNION. FINALLY, ON MAY 29th, 1790, ALMOST TWO YEARS AFTER THE NEW CONSTITUTION HAD GONE INTO EFFECT, THE STATE, BY A SLIM MARGIN, RELUCTANTLY GAVE ITS APPROVAL OF THE CONSTITUTION.

IT IS CLEAR THAT THE SMALLEST OF ALL THE STATES ENTERED INTO THE UNION ONLY UNDER CONSIDERABLE FORCE. THE FUNDAMENTAL PRINCIPLE OF BUSINESS LAW WHICH SAYS THAT CONTRACTS ENTERED INTO UNDER FORCE ARE INVALID DOES NOT SEEM TO HAVE EVER BEEN APPLIED TO RHODE ISLAND'S CONSTITUTIONAL CONTRACT WITH THE OTHER STATES. BUT NEITHER DOES IT SEEM TO HAVE BEEN APPLIED GENERALLY IN THE WORLD OF POLITICS.

#50: JAMES WILSON: FOUNDING FATHER, TURNED FUGITIVE

AT THE CONSTITUTIONAL CONVENTION IN 1787 JAMES WILSON SPOKE WITH GREAT AUTHORITY. HE HAD ALREADY ESTABLISHED HIMSELF AS AN EXTREMELY SUCCESSFUL ATTORNEY IN PHILADELPHIA AND AS A SCHOLAR ON COMPARATIVE LEGAL AND POLITICAL SYSTEMS FROM THE ANCIENT TO THE MODERN PERIOD. HE WAS MUCH SOUGHT AFTER TO LECTURE AT THE NEW COLLEGES. DURING THE WAR WILSON'S WIFE HAD TRUDGED FROM DOOR TO DOOR IN PHILADELPHIA SOLICITING PRIVATE PLEDGES TO PROVIDE FOR THE RAGGED SOLDIERS OF THE CONTINENTAL ARMY. SHE HAD DIED JUST A YEAR BEFORE THE PHILADELPHIA MEETING.

WITH THE EXCEPTION OF JAMES MADISON, NO ONE CONTRIBUTED MORE THAN WILSON TO THE SHAPING OF THE AMERICAN CONSTITUTION. A HUNDRED YEARS AFTER THE CONSTITUTIONAL CONVENTION LORD BRYCE WOULD DESCRIBE HIM AS ONE OF THAT GATHERING'S "DEEPEST THINKERS." UPON THE CONCLUSION OF THE PHILADELPHIA MEETING, AS A DELEGATE TO THE PENNSYLVANIA RATIFYING CONVENTION, WILSON FOUGHT TIRELESSLY AND SUCCESSFULLY FOR HIS STATE'S ENDORSEMENT OF THE CONSTITUTION. EVEN BEFORE HIS INVOLVEMENT IN CONSTITUTION WRITING, JAMES WILSON'S FRIENDS HAD BEEN WARNING HIM TO PROCEED MORE CAUTIOUSLY IN HIS BUSINESS VENTURES. BUT HE SEEMED POSSESSED BY THE SPECULATIVE URGE. SHORTLY AFTER PRESIDENT WASHINGTON APPOINTED HIM TO THE NEWLY-FORMED SUPREME COURT IN 1789, HIS FINANCIAL AFFAIRS BEGAN TO GO BADLY. BEFORE LONG HIS PERFORMANCE ON THE COURT AND HIS HEALTH WERE AFFECTED.

IN THOSE DAYS EACH SUPREME COURT JUSTICE RODE FROM TOWN TO TOWN DECIDING APPEALS IN AN ASSIGNED "CIRCUIT," OR REGION, OF THE COUNTRY. BY 1796 WILSON'S SOUTHERN CIRCUIT HAD BECOME A NIGHTMARE TO HIM, KNOWING THAT HE RISKED AT EVERY STOP BEING ARRESTED BY AN IRATE SOUTHERN CREDITOR. IRONICALLY, HE HAD BECOME A FUGITIVE FROM THE VERY ENFORCEMENT POWERS OF GOVERNMENT HE HAD HELPED TO CREATE A FEW YEARS EARLIER. FINALLY HIS FEARS MATERIALIZED. IN THE SPRING OF 1798 A CREDITOR CAUGHT UP WITH HIM IN EDENTON, NORTH CAROLINA, WHERE HE WAS ARRESTED AND JAILED. HIS WIFE OF FIVE YEARS JOINED HIM BUT COULD BRING HIM NO COMFORT. BROKEN IN SPIRIT AND HEALTH, AND FINALLY TORMENTED BY DELUSIONS, HE DIED THE FOLLOWING AUGUST. IT WAS AN IGNOMINIOUS END FOR ONE OF OUR NATION'S MOST DISTINGUISHED FOUNDING FATHERS.

#51: ROBERT MORRIS: FORGOTTEN PATRIOT

THERE WAS NO DOUBT IN THE MINDS OF THE CONSTITUTION FRAMERS AT THE PHILADELPHIA CONVENTION OF 1787 THAT THE WEALTHIEST MAN AMONG THEM WAS ROBERT MORRIS. AS A PARTNER IN A MAJOR PHILADELPHIA MERCANTILE HOUSE, THE OWNER OF SCORES OF MERCHANT SHIPS, BANKS, MANUFACTURING INTERESTS, AND ABOUT TEN MILLION ACRES OF LAND SCATTERED THROUGH SEVEN STATES, MORRIS'S FORTUNE WAS ESTIMATED AT BETWEEN EIGHTEEN AND THIRTY MILLION DOLLARS.

BUT HIS EARLIER YEARS OF ENRICHMENT HAD ALSO BEEN MIXED WITH PUBLIC SERVICE. DURING THE REVOLUTIONARY WAR HE HAD DRAWN HEAVILY UPON HIS OWN ASSETS TO PROVIDE FOOD, CLOTHING, AND BACK WAGES TO GENERAL WASHINGTON'S SOLDIERS WHEN THE STATES DID NOT COME THROUGH. IN 1781 CONGRESS HAD ASSIGNED HIM PROBABLY THE MOST DIFFICULT AND THANKLESS JOB IN AMERICA -- THE RAISING OF FUNDS FROM THE THIRTEEN STATES TO PAY OFF WAR DEBTS. POPULARLY KNOWN AS THE "FINANCIER OF THE UNITED STATES," ROBERT MORRIS LABORED AGAINST INSUPERABLE ODDS IN THIS POSITION FOR FOUR YEARS, MIRACULOUSLY KEEPING THE GOVERNMENT SOLVENT. HIS OWN PERSONAL CREDIT, FAR SOUNDER THAN HIS GOVERNMENT'S, WAS USED TO FLOAT LOANS FROM ABROAD. AFTER THE CONSTITUTIONAL CONVENTION AND THE FORMATION OF THE NEW GOVERNMENT, THE PENNSYLVANIA LEGISLATURE SENT HIM TO THE UNITED STATES SENATE. MORRIS WAS PRESIDENT WASHINGTON'S CLOSEST FRIEND AND ADVISOR. HE EVEN MOVED OUT OF HIS PRESTIGIOUS PHILADELPHIA MANSION SO THAT WASHINGTON COULD HAVE IT AS HIS RESIDENCE UNTIL HE LEFT THE PRESIDENCY IN 1797.

IN THE MEANWHILE MORRIS HAD BECOME INCREASINGLY UNRESTRAINED IN HIS BUSINESS SPECULATIONS. BY THE END OF 1797 HE WAS NEARLY THREE MILLION DOLLARS IN DEBT. HE TOOK REFUGE IN HIS HOME AS A MOB OF CREDITORS BESIEGED HIM. HE WAS ARRESTED AND CONVICTED, AND ON THE FIFTEENTH OF FEBRUARY, 1798, HE BECAME AN INMATE IN THE PHILADELPHIA PRUNE STREET DEBTORS' PRISON. RELEASED THREE AND A HALF YEARS LATER, HE LIVED FOR FIVE MORE YEARS IN THE SAD AWARENESS THAT HE HAD BEEN ABANDONED BY MOST OF HIS FRIENDS. TO THIS DAY ROBERT MORRIS HAS REMAINED AN UNSUNG HERO AMONG THE AMERICAN FOUNDING FATHERS.

#52: SECURING OUR CONSTITUTIONAL LIBERTIES

IN THE HUGE DOMED EXHIBITION HALL OF THE NATIONAL ARCHIVES THE ORIGINAL PARCHMENT ON WHICH OUR CONSTITUTION WAS INSCRIBED TWO HUNDRED YEARS AGO BY OUR FOUNDING FATHERS LIES IN A HERMETICALLY SEALED BRONZE AND GLASS CASE. THERE, EVERY EVENING, AN UNUSUAL CEREMONY TAKES PLACE. WHEN THE LAST VISITOR HAS LEFT THE BUILDING, A GUARD PUSHES A BUTTON. WITH A GREAT WHIRRING NOISE, AN ELECTRONIC MECHANISM GENTLY LOWERS THE DOCUMENT TWENTY FEET DOWN INTO A "FIREPROOF, BOMBPROOF VAULT" OF STEEL AND REINFORCED CONCRETE. A MASSIVE LID SLIDES OVER THE VAULT AND THE UNITED STATES CONSTITUTION IS SAFELY BEDDED DOWN FOR THE NIGHT.

WE MIGHT CONCLUDE FROM THIS THAT OUR MOST FUNDAMENTAL FREEDOMS AND RIGHTS ARE THEREBY SECURED. BUT WE WOULD BE MISTAKEN IN THIS ASSUMPTION. IF, AS HAS OFTEN BEEN SAID, "VIGILANCE IS THE PRICE OF LIBERTY," THAT VIGILANCE INVOLVES FAR MORE THAN THE PRESERVATION OF A PARCHMENT DOCUMENT. IT REQUIRES THE REINSCRIBING IN THE HEARTS AND MINDS OF EVERY NEW GENERATION THE FUNDAMENTAL CONSTITUTIONAL PRINCIPLES FOR WHICH OUR FOUNDING FATHERS AND MANY IN SUCCEEDING GENERATIONS HAVE BEEN WILLING TO RISK THEIR LIVES.

AS WE STAND NOW TWO HUNDRED YEARS AND SOME SEVEN GENERATIONS REMOVED FROM THE CONCERNS AND DEBATES SURROUNDING THE CREATION OF OUR CONSTITUTION, THE FREEDOMS AND PRINCIPLES INSCRIBED IN THAT DOCUMENT EASILY BECOME ABSTRACTIONS, TAKEN FOR GRANTED, SOMETIMES EVEN FORGOTTEN. LIP SERVICE AND UNTHINKING CONFORMITY TEND TO REPLACE REAL COMPREHENSION AND COMMITMENT TO THESE PRICELESS VALUES. TO THIS EXTENT OUR FREEDOMS BECOME LESS SECURE.

THIS COMMENTARY CONCLUDES A SERIES ON THE UNITED STATES CONSTITUTION DESIGNED TO BETTER INFORM YOU REGARDING THE DEVELOPMENT AND THE MAJOR CHARACTERISTICS OF THE AMERICAN CONSTITUTION AND, THEREBY, TO RECOMMIT YOU TO THE FUNDAMENTAL PRINCIPLES REPRESENTED IN THAT DOCUMENT.

IF YOU WISH TO RECEIVE A PRINTED COPY OF ALL 53 SEGMENTS OF THIS SERIES, SEND YOUR NAME AND ADDRESS, TOGETHER WITH A CHECK FOR $7.95 ($5.95 IN QUANTITIES OF TEN OR MORE) TO: DR. WALTER B. MEAD, DEPARTMENT OF POLITICAL SCIENCE, ILLINOIS STATE UNIVERSITY, NORMAL, IL 61761. A FULL-LENGTH BOOK THAT GREATLY EXPANDS UPON THE MATERIAL CONTAINED IN THE SCRIPTS, ENTITLED THE UNITED STATES CONSTITUTION: PERSONALITIES, PRINCIPLES, AND ISSUES, IS AVAILABLE FROM THE UNIVERSITY OF SOUTH CAROLINA PRESS, COLUMBIA, SC 29208, FOR $11.95 PLUS $1.50 MAILING CHARGE.